



C.R.P.No.4057 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.No.4057 of 2008

1. M.Thilagam
2. M.Sivanesh
3. M.Mogalleswaran
4. M.Pavithra

.. Petitioners

Vs.

1. A.Manoharan
2. The Director,
Directorate of Personal,
Room No.221, South Block,
Defence Research Development Organization, (D.R.D.O),
Ministry of Defence, Government of India,
New Delhi-110 011.

3. The Director,
Compact Vehicle Research Development
and Establishment (C.V.R.D.E).,
Defence Research Development Organization, (D.R.D.O),
Ministry of Defence,
Avadi, Chennai-600 054.

.. Respondents

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India against the Fair and Decreetal order dated 01.07.2008 passed Civil Miscellaneous Appeal Number 20 of 2007, on the file of the Sub-Ordinate Judge at Poonamallee, Chennai-600 056.



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For Petitioners : Mr.A.Ramasamy

For Respondents : No appearance

ORDER

This Civil Revision Petition has been filed as against the Fair and Decretal order dated 01.07.2008 passed in Civil Miscellaneous Appeal Number 20 of 2007, on the file of the Sub-Ordinate Judge at Poonamallee, Chennai-600 056.

2. Pending this petition, the matter was referred before the Lok Adalat. By an order dated 04.12.2009, the Lok Adalat passed an Award and disposed of this petition on the memorandum of compromise entered between the first petitioner herein and the first respondent herein. The Lok Adalat also recorded the memorandum of compromise as Paragraph No.3 in the Award dated 04.12.2009. However, as per the terms of compromise, the first respondent herein failed to pay any amount and as such the matter has been again remanded before this Court, by an order dated 28.06.2010, to pass orders on merits.

3. Therefore, the Award passed by the Lok Adalat dated 04.12.2009 is no longer in force, since already this petition was referred to this Court to pass orders on merits.



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4. Now, the learned counsel for the petitioners would submit that the entire amount has been disbursed by the first respondent herein in favour of his employees. Therefore, the interim prayer sought for in the application in I.A.No.73 of 2007 become infructuous.

5. Therefore, nothing survives in this petition for further adjudication. The Trial Court is directed to dispose of the suit in O.S.No.954 of 2005, within a period of six months from the date of receipt of a copy of this order. It is made clear that the compromise entered between the first petitioner herein and the first respondent herein is no longer in force, since the Lok Adalat award dated 04.12.2009 is no longer in force.

6. Accordingly, this Civil Revision Petition is dismissed. No costs.

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Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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G.K.ILANTHIRAIYAN,J.

mn

To

1. The Sub-Ordinate Judge, Poonamallee, Chennai-600 056.
2. The District Munsif, Poonamallee, Chennai-600 056.
3. The Section Officer,
VR Section,
High Court, Madras.

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