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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 9th day of September 2023

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr. JUSTICE K.RAJASEKAR

and

Members

Mr. J. Justin David, District Judge (Retd.)

Mr. H. Manojin, Advocate

C.M.A.No.1242 of 2018

(Appeal against the Judgment and Decree dated 20.01.2017
made in A.O.P.No.54 of 1998 on the file of the Principal Subordinate
Judge, Tiruvannamalai).

1. The Superintending Engineer
Highways and Rural Works
Chepauk, Chennai
2. The Executive Engineer
Highways and Rural Works
Chengam, Tiruvannamalai District ... Respondents / Appellants

Vs.

- 1.S.Kuppusamy (Died) ... Petitioner/Respondent
2. Shanmuga Sundaram, Arbitrator
and the Superintending Engineer
Highways and Rural Works
Coimbatore .. Respondents /
Respondents

3. Chinnapappa

4. Selvi



5. Saroja
6. Sowndarambigai
7. Patturoja
8. Sivaraman
9. Selvi
10. Muniyammal
11. Venkatesan

... Respondents

**(R3 to R11/LRs of deceased R1, impleaded
vide order dated 20.04.2022 made in
C.M.P.No.16730, 16731 and 16733 of 2021
in C.M.A.No.1242 of 2018)**

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.R.Ramanalal, learned Additional Advocate General, assisted by Mr.P.Harish, learned Government Advocate and Mr.S.Ambigapathi, learned counsel for respondents 3, 4, 6 to 11 are present. Respondents 1 and 5 died. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

Both the parties and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.1,87,500/- (Rupees One Lakh Eighty Seven Thousand Five Hundred only) with interest at 9% p.a. to be payable by the appellants herein from the date of completion and handing over of the construction work till the date of making payment to the cross appellant/first respondent herein.

3. Aggrieved against the award, the appellant/Highways and



Rural Works Department has preferred the present appeal.

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4. During the pendency of this Civil Miscellaneous Appeal, the first respondent died and R3 to R11 were impleaded as his legal heirs. It is now reported that fifth respondent died. Now the respondents 3,4 and 6 to 11/legal heirs have agreed to receive a sum of Rs.3,00,000/- (Rupees Three Lakhs only) in full quit (without interest). The appellants/Highways and Rural Works Department are directed to pay the said award amount of Rs.3,00,000/-, by way of Cheque in the name of third respondent viz., Chinnapappa, wife of the deceased first respondent within a period of six weeks from the date of receipt of a copy of this order. Award is passed accordingly.

5. The appellants are directed to issue the cheque in the name of third respondent viz., Chinnapappa, wife of the deceased first respondent on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

1. The Superintending Engineer
Highways and Rural Works
Chepauk, Chennai
2. The Executive Engineer
Highways and Rural Works
Chengam, Tiruvannamalai District

... Respondents / Appellants

- 1.S.Kuppusamy (Died)
2. Shanmuga Sundaram, Arbitrator
and the Superintending Engineer
Highways and Rural Works

... Petitioner/Respondent



Coimbatore

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.. Respondents /
Respondents

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3. Chinnapappa

4. Selvi

5. Saroja (died)

6. Sowndarambigai

7. Patturoja

8. Sivaraman

9. Selvi

10. Muniyammal

11. Venkatesan

... Respondents

This National Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

Member



To
The parties/Advocate concerned

Copy to:

1. The Principal Subordinate Judge, Tiruvannamalai_Virudhachalam.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.



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K.RAJASEKAR, J.

skt

C.M.A.No.1242 of 2018

09.09.2023