



CRP. No. 3722 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 3722 of 2023
and CMP No. 23244 & 23245 of 2023

M/S Codissia Industrial Park Limited,
Rep by its Managing Director, Mr.S.Soundararajan,
Having Registered office at
Coddissia G.D.Naidu Towers,
Hozur Road, Coimbatore – 641 018.

...Petitioner

Vs.

1.Amsaveni
2.Krishnammal
3.R.Chandrasekaran
4.R.Sampath Kumar

....Respondent s

PRAYER : This petition filed under Article 227 of the Constitution of India, to set aside the Lok Adalat Award dated 26.11.2021 passed in Lok Adalat Case No. 837 of 2021(O.S No. 939 of 2021 – I Additional Subordinate Judge, Coimbatore) on the file of the District Legal Services Authority, Coimbatore as abuse of process of law and award exemplary cost.



For Petitioner : Mr.R.Bharath Kumar

For Respondents: Mr.M.Guru Prasad

ORDER

These petitions have been filed to set aside the Lok Adalat Award dated 26.11.2021 passed in Lok Adalat Case No. 837 of 2021(O.S No. 939 of 2021 – I Additional Subordinate Judge, Coimbatore) on the file of the District Legal Services Authority, Coimbatore.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. Considering the facts of the case and also on perusal of records, it reveals that the respondent has filed suit in O.S No. 939 of 2021 on the file of the I Additional Subordinate Judge, Coimbatore in respect of the suit property in S.F No. 42/3 an extent of 1.21 acres in new Survey Nos.42/3A, 3BA, 3B1B by suppressing the earlier suits in O.S No. 20 of 2016 and O.S No. 308 of 2018 on the file of the III Additional District Judge, Coimbatore, in which, the respondents are plaintiffs and defendants, wherein a common judgment was passed. Against which, the respondents preferred an appeal and the same is pending before this Court in A.S No.



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397 of 2021 as on date. But, suppressing the above proceedings the respondents have obtained award and divided the property by referring the matter to Lok Adalat fraudulently as such is abuse of process of law. Hence, the Lok Adalat Award dated 26.11.2021 passed in Lok Adalat Case No. 837 of 2021(O.S No. 939 of 2021 – I Additional Subordinate Judge, Coimbatore) on the file of the District Legal Services Authority, Coimbatore, is set aside. Further, the liberty is given to the respondents to workout their remedy in appeal proceedings.

4. In the result, this Civil Revision Petition is allowed. No Cost. Consequentially, connected miscellaneous petition is closed.

18.12.2023

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To

1. The I Additional Subordinate Judge, Coimbatore
2. The District Legal Services Authority, Coimbatore.



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T.V.THAMILSELVI,J.

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