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HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023

Saturday the 9th day of December 2023

NATIONAL LOK ADALAT AWARD

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

Presided Over by

The Honourable Mr Justice P.B. BALAJI

and

Members

Mr.P.Mohandoss, District Judge,(Retired), Mrs.C.Jeya Indra Patel, Advocate

SA(MD) No.599 of 2016

(Appeal against the judgment and decree passed on 04/03/2016 in AS.
34/2012 on the file of the SUB JUDGE, KULITHALAI)

PAPPA,

W/O.LATE MANICKAM, D/O.PALANIYANDI, PANJAPATTY,
KRISHNARAYAPURAM TK. KARUR DIST.

...Appellant

Versus

1.RASAMMAL,

W/O.LATE MANICKAM, PANJAPATTY, KRISHNARAYAPURAM TK.
KARUR DIST. NOW RES. AT NOYYAL, VETTAMANGALAM
VILLAGE, KARUR DIST.

2.THE THASILDAR,

TALUK OFFICE, KRISHNARAYAPURAM, KARUR DIST.

3.THE REVENUE DIVISIONAL

OFFICER, KULITHALAI, KARUR DISTRICT.

4.THE STATE OF TAMIL NADU,

REP. BY THE DISTRICT,
COLLECTOR, KARUR,
COLLECTORATE, KARUR.

...Respondent/

s



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This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant/s Raguvaran Gopalan and the counsel for the respondent/s party in person are present. After mutual discussion, negotiation, mediation and conciliation between both parties and with the assistance of the Bench, both sides consented for settlement.

AWARD

The Second Appeal has been filed at instance of the first defendant in O.S.No.209 of 2003. The Suit in O.S.No.209 of 2003 was filed by the plaintiff/first respondent herein seeking declaration that she was entitled to get Mozhi Por Tyagi Pension amount which was Rs.3000/- (Rupees three thousand only) at that relevant point of time. When the suit was filed, both parties have agreed, that up to the date of filing of the suit, the appellant/first defendant was receiving the said pension amount. However, the plaintiff/first respondent herein succeeded before the trial Court and the first defendant having unsuccessfully challenged the same before the first appellate Court, has filed the present second appeal against concurrent findings. Today, the appellant/first defendant and the first respondent/plaintiff are physically present before this Court. They have agreed for an amicable settlement with regard to the said pension amount on the following terms:

- i) The first respondent/plaintiff gives up her right in respect of the amount already received by the appellant/first defendant.
- ii) Insofar as the arrears payable at Rs.3000/- (Rupees three thousand only) and enhanced amount if any, payable by the Government given the current prevailing



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situation, the appellant/first defendant and first respondent/plaintiff shall receive the same in equal share.

iii) In future, the amount shall be paid to the appellant/first defendant and first respondent/plaintiff in equal halves.

iv) In respect of future monthly pension, if any one of the parties namely the appellant or the first respondent dies, the surviving of them shall be entitled for the entire pension amount till her life time.

The respondents 2 to 4 are only statutory respondents and the dispute is purely personal between the appellant and the first respondent. The respondents 2 to 4 have been added only as formal parties.

On behalf of the second respondent herein, Mr.S.Santhana Selvan, Zonal Deputy Tahsildar, Taluk Office, Krishnarayapuram Taluk, Karur District is present. The presence of the second respondent is recorded. The presence of the 3rd and 4th respondents is dispensed with.

The first respondent/plaintiff has not engaged any counsel before this Court, and she has personally come and is present. We have personally enquired with her and also verified whether she has understood the said compromise, We are satisfied that she has understood the terms of the compromise.

For the reasons stated supra, the second appeal is allowed on the terms of the said compromise.

PAPPA

Counsel for the Appellant

RASAMMAL(first respondent)



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THE THASILDAR,
TALUK OFFICE, KRISHNARAYAPURAM,
KARUR DIST.
THE REVENUE DIVISIONAL
OFFICER, KULITHALAI, KARUR DISTRICT.

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

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamilnadu Court Fees and Suits Valuation Act, 1955 and 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.

The Original of the award shall be place in the court record and copy of the award, kept with High Court Legal Services Committee and one copy each is furnished to both parties free of cost.

In agreement of the above, both parties and their counsel have affixed their signatures/ thumb impressions in presence of the Lok Adalat Bench admitting the terms and today conditions and accordingly, the award is passed.

JUDGE

MEMBER

MEMBER



To: The Parties/Advocate concerned
Copy To

1. The Sub Judge, Kulithalai.
2. The Officer-in-Charge, High Court Legal Services Committee, Madurai.
3. The Section Officer, V.R. Section, Madurai Bench of Madras High Court, Madurai.

Typed By

MAHALAKSHMI

PA To The Hon'ble Judges