



HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023



Saturday the 12th day of August 2023
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided Over by
The Honourable Mr Justice K.K. RAMAKRISHNAN

and

Members
Mr.S.Udhayan, District Judge (Retired) and Mr.P.Ganapathy Subramanian, Advocate

CRL RC(MD) No.175 of 2020

(Appeal against the judgment and decree passed on 09/07/2019 in CRLA.62/2018 on the file of the ADDL. DIST. AND SESSION COURT, KUMBAKONAM)

Santhanam
S/o.Muthaiyan,
17/179, Kamarajar Street,
Sholapuram Post,
Kumbakonam Taluk,
Thanjavur District.

...Revision Petitioner

Versus

Chinnai.Ponnusamy
S/o.Chinnaiyan,
No.4, Rajapandi Nagar,
Kaliyapillai Street,
Kumbakonam,
Thanjavur District.

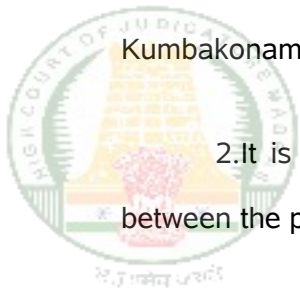
...Respondent

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.R.Prakash and the counsel for the respondent Mr.K.Guhan 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 Revision Petitioner borrowed a sum of Rs.7 lakhs from the respondent by executing a promissory note. For discharging the amount of Rs.5 lakhs, he issued a cheque. When the same was produced before the bank for collection, it was returned with an endorsement "insufficient fund". Hence, he filed a petition in S.T.C.No.3287 of 2012 before the learned Judicial Magistrate No.II, Kumbakonam under Section 138 Negotiable Instruments Act. After perusing the evidence and records, the learned Judicial Magistrate convicted the petitioner/accused under Section 138 of Negotiable Instruments Act and sentenced him to undergo 2 years Simple Imprisonment and directed to pay the cheque amount of Rs.5

lakhs as compensation and the same was confirmed by the Additional District and Sessions Judge (FTC),
<https://www.lakhs.com>



Kumbakonam, in Crl.A.No.62 of 2018. Aggrieved over the same, he filed this Revision before



2.It is reported that during the pendency of this Revision, the matter has been amicably settled between the parties.

3.The parties are appeared before this Court and the respondent/complainant affirmed that he received the entire amount.

4.The settlement has been arrived at between the parties in view of the following terms:-

i) The petitioner/accused has already deposited a sum of Rs.1,00,000/- (Rupees one lakh only) before the learned Judicial Magistrate No.II, Kumbakonam, and thereafter, as per the settlement arrived at between him and the complainant on 03.04.2023, he has also paid another sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) and the petitioner has no objection to withdraw the deposited amount of Rs.1,00,000/- (Rupees one lakh only).

ii) Hence, the respondent/complainant is permitted to withdraw the amount of Rs.1 lakh already deposited before the learned Judicial Magistrate No.II, Kumbakonam.

5.The above terms of compromise are part and parcel of the award. So, in view of the compromise arrived between the parties, for passing appropriate order, post this matter before the regular Court.

Santhanam

Counsel for the Revision Petitioner

Chinnai. Ponnusamy

Counsel for the Respondent

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 according to the order is passed.



WEB COPY

JUDGE

MEMBER

MEMBER

To: The Parties/Advocate concerned
Copy To

1. ADDL. DIST. AND SESSION COURT, KUMBAKONAM.
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
DSS/GBG
PA To The Hon'ble Judges