



CRP(MD). No.625 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 05/06/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.625 of 2020
and CMP(MD) Nos.3216, 4024, 4025 of 2020 and 634 of 2024**

1.M.Maria Vimala Rani

2.Michael Jero

... Petitioners
/Defendants 1 & 7

Vs

1.Christopher
2.Blorious
3.Antony Augnes
4.Segarubi
5.Swakin Brinda
6.Suyambu
7.Jebastin Selvan
8.A.M.Jesu Michel
9.Sasikala
10.S.Thanislal Peter
11.T.Thanishlal Edwin
12.T.Thaninevis Edward
13.T.Thaninevis Enric
14.S.Antony Arputha Seeli
15.R.Arul Joseph
16.R.Maria Peter Rajan
17.S.Rasaiya
18.A.Lawrance
19.A.Antony Ramesh
20.A.Jamesh

1/6



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21.S.Antony Stephen
22.Minor S.Pepin
23.M.Daisy Alais Josephine Daisy
24.S.Antony Peter
25.Jebamalai Jegan
26.J.Panneer Selvam
27.S.Jones
28.A.Maria Sundari
29.Maria Chellappa
30.Malar
31.Suresh
32.Vijiko
33.Velankanni
34.Micheal
35.R.Panneerselvam
36.N.Saraswathi

... Respondents/Defendants

R14 to R36 are impleaded vide order dated 19.09.2024 in CMP(MD) No. 1081/2022.

PRAYER :-Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure against the order dated 24.12.2011 in OS No.108 / 2009 on the file of the Sub Court/Lok Adalat, Valliyoor.

For Petitioners : Mr.D.Nallathambi
For Respondents : Mr.S.R.Anbarasu for R1 to R3
No appearance for R5 to 13 and
15,16,19,25,24,28 an d35

ORDER

The civil revision petition is filed against the order dated 24.12.2011 in OS No.108/2009 on the file of the Sub Court, Valliyoor.



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2.The petitioners are defendants 1 and 7 in O.S.No.108/2009 on the file of the Sub Court, Valliyoor. The said suit is for partition and for various reliefs and for claiming $\frac{1}{2}$ share over the suit property against the defendants. The parties to the suit contested the same by filing written statements. Subsequently, the said suit was referred to Lok Adalat for arriving at an amicable settlement as per the consent of the parties. Before the Lok Adalat, power of attorney of the respondents represented and accordingly the petitioners were informed that the properties available could be divided and 2.22 acres may be allotted to the plaintiffs and 3.61 acres may be allotted to first defendant. On believing the same, the petitioners have consented for an award to be passed before the Lok Adalat. Subsequently, the petitioners came to know that prior to the filing of the suit, the plaintiffs have suppressed the fact that some of the properties have been sold by their father Anthony Muthu Nadar under registered sale deeds dated 28.07.1993, 10.02.1993, 24.01.1990 and 26.10.1995 respectively and hence, it defeats the rights of the petitioners. Hence, they are before this Court with this civil revision petition.



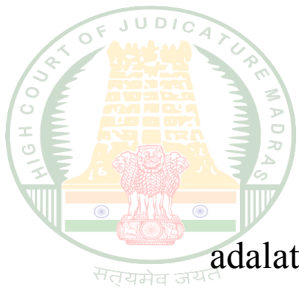
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3. The learned counsel for the petitioner would submit that as per the award of the lok adalat, when the petitioners made an attempt to fence the properties, that was objected to by the persons in possession of those properties. It is contended that fraud has been played and the petitioners were cheated by allotment of lesser share. Therefore, he prays for interference.

4. The learned counsel for the respondents 1 to 3 would submit that when the petitioners themselves admitted in the written statement that the portion that was allotted to them were in their possession and on the basis of the same, the said portion was allotted to them and hence, the prayer sought for need not be interfered with.

5. Heard the learned counsel for the petitioner and the learned counsel for the respondents 1 to 3.

6. Admittedly, the petitioners are the defendants 1 and 7 in OS No. 108/2009 on the file of the Sub Court, Valliyoor. The plaintiffs filed a suit for partition and subsequently the said dispute was referred to lok



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adalat and there was an amicable settlement between the parties. When there was an amicable settlement to which the petitioners were also parties and appeared before the lok adalat and signed the lok adalat award, the petitioners cannot now turn around and contend that they were cheated by the respondents by allotting meagre share to them. It is settled proposition of law that when the award was passed as per the consent given by the parties before the Lok Adalat, the same cannot be put to challenge. Therefore, on the sole ground, the Civil Revision Petition is not maintainable. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

05.06.2025

NCC : Yes/No
Index : Yes/No

RR

TO

1.The Sub Court/Lok Adalat, Valliyoor

2.The Section Officer,

VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) (NPD) No.625 of 2020**

Date : 05/06/2025