



C.R.P.No.859 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 23.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.No.859 of 2026

Pachaiyammal (Deceased)

1. Ganaga

2. Komala

(Cause title accepted vide Court order dated 21.01.2026
made in CMP.No.867 of 2026 in CRP.No.674 of 2026)

3. Mani

4. Anandhi

(Petitioners 3 & 4 are the LR of the (deceased)
1st plaintiff Pachaiyammal)

... Petitioners

Vs.

Vijayakumar (Deceased)

1. Vimala

2. Karthiga

3. Guna

4. Prabavathi

5. Monisha

... Respondents



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Prayer:- Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the award passed in L.A.C.No.657 of 2019 in A.S.No.1 of 2018 dated 28.11.2019 on the file of the 1st Additional District Sessions Court, Trindivanam and restore the First Appeal in A.S.No.1 of 2018 to file for hearing and disposal according to law.

For Petitioners : Mr.R.Natarajan

ORDER

Heard the learned counsel appearing for the petitioners and perused the materials available on record.

2. The revision petitioners are the plaintiffs, who filed O.S.No.76 of 2012 seeking partition and separate possession of their mother's estate. The Trial Court decreed the suit, negating the defence set up by the defendant (since deceased), and passed a preliminary decree declaring 3/4th share in favour of the Petitioners. Aggrieved thereby, the defendant preferred A.S. No.1 of 2018 on the file of the learned I Additional District Court, Tindivanam. Pending the appeal, the matter was referred to Lok Adalat and an Award came to be passed in LAC No. 657 of 2019 dated 28.11.2019, recording settlement between the parties.



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3. The case of the petitioners is that the brother of the defendant

had induced them to enter into the compromise on the promise of payment of certain sums of money in lieu of their relinquishing their share. According to the petitioners, after signing the compromise, the said promise was not honoured and the amounts agreed upon were not paid.

4. The Award of the Lok Adalat having been passed on 28.11.2019, this Court is unable to entertain the present Revision under Article 227 of the Constitution of India. The allegations made by the petitioners, including fraud and non-payment of the agreed consideration, are matters which require adjudication on evidence. Whether there was any misrepresentation or default on the part of the respondents after the settlement, as recorded in the Lok Adalat Award, are all questions of fact that necessitate a full-fledged trial.

5. In such view of the matter, this Court does not find the present Civil Revision Petition to be maintainable. It is open to the petitioners to work out their remedies by instituting a separate civil suit in the manner known to law.



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6. In the result, this Civil Revision Petition is dismissed. No costs.

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Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non-Speaking Order
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To

The Principal Subordinate Court, Villupuram.



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P.B.BALAJI, J.

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