



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

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

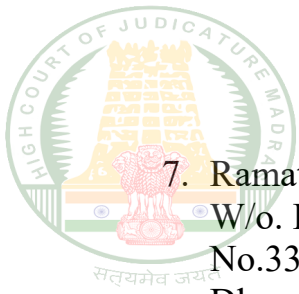
CRP No. 271 of 2025

AND

CMP No. 1788 of 2025 & CMP No. 1793 of 2025

WEB COPY

1. Kaliyathal
W/o. Sellamuthu No. 7/2, Meentchi Valasu
Kazhtharukkipalayam Koothampoondi,
Dindigul 624616
2. Sivakami
W/o. Velusamy
Meentchi Valasu Kazhtharukkipalayam
Koothampoondi,
Dindigul 624616
3. Tamilselvi
W/o. Karuppusamy, 10/2, Aranmanaivalasu,
Kallimandayam,
Dindugal 624616
4. Sivagami
W/o. Velusamy, Meentchi Valasu
K.Y.Palayam, Koothampoondi,
Kazhtharukkipalayam,
Dindigul 624616
5. Rathinam
W/o. Murugesan 4/149, South Street,
Manjanaickenpatti,
Dindigul 624614
6. K.Subramani
S/o. Kaliyappan 5/55, P Ellapalayam, Ponnivadi
Post, Dharapuram Taluk,
Tiruppur Dist.



7. Ramathal
W/o. Palaniswamy
No.33, Ellapalayam, Ponnivadi Post,
Dharapuram Taluk,
Tiruppur Dist. 638673
8. Indarani
W/o. Nallasivam, D.No. 4/238, Annaipudhur,
Arangapalayam, Gudalur East,
Karur 639202
9. Rajamani
S/o. Palanisamy No.43, LIC Nagar, Vinayagar
Kovil 8th Street, Poondurai main Road,
Erode 638002
10. Rajammal
W/o. Arumugam No.331/4, Ramanis Mayuri,
Thudiyalur Road, Chinnavedampatti,
Coimbatore North 641049
11. Latha
W/o. Amit KumarKaushik 531, Pocket-E,
Phase-2, Mayur Vihar,
East Delhi 110091
12. Prasanna
S/o. Arumugam No.331/4, Ramanis Mayuri,
Thudiyalur Road, Chinnavedampatti,
Coimbatore North 641049
13. Deivanai
W/o Palaniappan 220/18B, Metro City
Alangiyam Road, Dharapuram 638657

..Petitioner(s)

Vs

1. Kaliyappan
S/o. Sellamuthu, Ellapalayam, Ponnivadi
Village, Dharapuram Taluk, Tiruppur Dist.
Respondent-2 Died. Respondents 1 (who is
already on record) is recorded as LR's of the



deceased R-2 Viz. Pe.Sellamuthu as per memo dated.03/11/2025 (SR.No.43365 of 2025) are recorded and vide court order dated.20/01/2026 made in CRP No.271 of 2025 and CMP NOs 1788 and 1793 of 2025 by PBBJ.

2. Pe.Sellamuthu(Died)
S/o. late. Ramasamy gounder
Ellapalayam, Ponnivadi Village, Dharapuram
Taluk, Tiruppur Dist.
3. The Sub Registrar
Dharapuram Sub Register Office,
Tiruppur District.

..Respondent(s)

CRP No. 271 of 2025

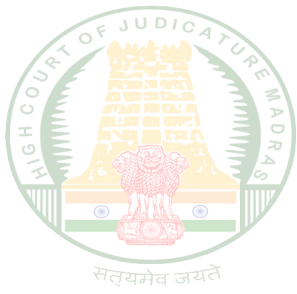
To set aside the Settlement Memo dated 22.04.2018 in Lok Adalat Case No.41 of 2018 made in O.S No.210 of 2017 on the file of District Munsif Court, Dharapuram by allowing the present CRP.

CMP No. 1788 of 2025

To stay the operation of the Judgment and decree dated 22.04.2018 made in O.S No.210 of 2017 on the file of the District Munsif Court, Dharapuram pending disposal of the present CRP.

CMP No. 1793 of 2025

To grant an order of interim injunction restraining the 3rd respondent from registering any further documents in respect of the scheduled property which is subject matter in O.S No.210 of 2017 on the file of District Munsif, Dharapuram pending disposal of the present CRP.



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CRP No. 271 of 2



**CRP No. 271 of 2025
AND
CMP No. 1788 of 2025 & CMP No. 1793 of 2025**

For Petitioner(s): Mr. K.Sudhakar

For Respondent(s): Mr. N. Manokaran for R1

Ms. S. Yogalakshmi, for R3
(Additional Government Pleader)

R2 - Died

(Memo Recorded Vide Court Order Dated:
20.01.2026)

ORDER

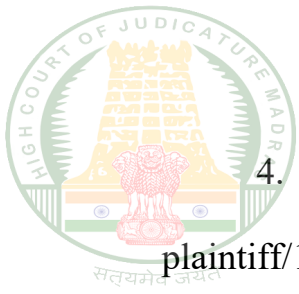
This Civil Revision petition has been filed to set aside the Settlement Memo dated 22.04.2018 in Lok Adalat Case No.41 of 2018 made in O.S No.210 of 2017 on the file of District Munsif Court, Dharapuram by allowing the present Civil Revision Petition.

2. The learned counsel for the petitioners would submit that the suit in O.S. No.210 of 2017 had been filed by the 1st respondent seeking for the relief of partition on the basis of a registered Partition Deed dated 11.07.1974 entered between the plaintiff's father and brother of the plaintiff's father, by suppressing the exact extent in S.No.149, (New S.No.1799) wherein they have mentioned



the extent of 14.63 acres instead of 1.83 acres. Pending the suit, the matter had been referred to the Lok Adalat wherein the plaintiff was obtained the Lok Adalat award dated 22.04.2018 to the entire extent of 14.63 acres in the suit property comprised in S. No.149 instead of his 1/8th share ie. 1.83 acres in S.No.149 based on the settlement memo entered between the plaintiff and the plaintiff's father.

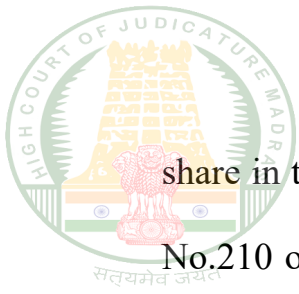
3. It has been further submitted that the plaintiff/the 1st respondent herein in the suit fraudulently included the entire extent of 14 acres 63 cents in S.No.149 while he was allotted by 1/8 share only to the extent of 1.83 acres in the "B" suit schedule property out of total extent of 14.63 acres in S.No.149. In fact, the plaintiff and his father are entitled only to 1/8th share which comes around 1 acre 83 cents as per the registered partition deed dated 11.07.1974. However, the plaintiff's father and the plaintiff have filed the settlement memo dated 22.04.2018 for the entire extent of 14.63 acres and obtained Lok Adalat Award accordingly thereby they are enjoying the suit property by mutation of Patta in their name to the total extent of 14.63 acres in terms of the Lok Adalat Award. Hence, he seeks to set aside the Settlement Memo dated 22.04.2018 in Lok Adalat Case No.41 of 2018 made in O.S No.210 of 2017 on the file of District Munsif Court, Dharapuram by allowing the present Civil Revision Petition.



4. The learned counsel for the respondents would submit that the plaintiff/1st respondent and the plaintiff's father/2nd respondent who is reported as died, are enjoying the suit property for more than 40 years without any encumbrance in the B schedule property as per partition deed entered between the plaintiff's father and brother of the plaintiff's father. The petitioners have not come forwarded to claim the suit property for more than 40 years. The plaintiff paid the Kist for the suit schedule property and mutated the patta in his name based on the Lok Adalat Award. In terms of the Lok Adalat Award passed by the Lok Adalat, the plaintiff and his family members are enjoying the suit property without any encumbrance and disturbance from the side of the revision petitioners.

5. Heard both sides and perused the materials available on record.

6. On perusal of the records, it is seen that the 1st respondent herein is the plaintiff and his father being the 2nd respondent herein is the defendant in the suit in O.S. No.210 of 2017 who is reported as died. The 1st respondent herein filed the suit in O.S. No.210 of 2017 seeking for partition in the suit schedule property in S.No.149 against his father/2nd respondent herein and the Lok Adalat award dated 22.04.2018 was passed in terms of Settlement Memo dated 22.04.2018 entered into between them. As per the Partition Deed dated 11.07.1974 entered between the plaintiff's father and brother of the plaintiff's father, the plaintiff's father is entitled only to the extent of 1.83 Acres in S.No.149 (R.S. No.1799) wherein the plaintiff's father was allotted only a 1/8th



share in the suit schedule property. However, the plaintiff filed the suit in O.S.

No.210 of 2017 seeking for partition in the suit schedule property in S.No.149

by fraudulently mentioning the entire extent of 14.62 acres instead of 1.83 acres

which was actually allotted to his father. Accordingly, the Lok Adalat in case

No.41 of 2018, passed the award to the total extent of 14.62 acres in “B”

Schedule property in S.No.149 instead of 1.83 acres in favour of the plaintiff/1st

respondent herein while the plaintiff is entitled to only to the extent of 1.83

acres in S. No.149 as per the Partition Deed dated 11.07.1974 and there is no

title document to the extent of 14.62 acres in favour of the plaintiff's father.

The plaintiff is enjoying the entire extent of the suit property based on the Patta

which stands in the name of plaintiff's father. In the meanwhile, the Revenue

Divisional Officer, Dharapuram, conducted an enquiry with regard to title of the

suit property thereby it was found that the plaintiff fraudulently mutated the

patta to the entire extent of 14.62 acres in his name instead of 1.83 acres without

any title document and not impleading the related parties in the said suit. Hence,

the RDO cancelled the patta which stands in the name of the plaintiff's father

and plaintiff. In the aforesaid facts and circumstances of the case, it reveals that

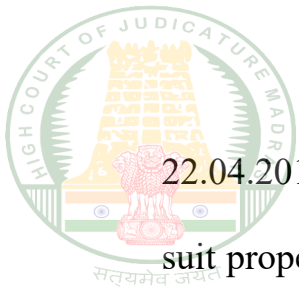
the plaintiff without any title document falsely claiming the entire extent of the

suit schedule property in S.No.149 and as such the plaintiff approached the

Civil Court without clean hands by suppressing the exact extent of the suit

schedule property in S. No.149 and fraudulently obtained award to the entire

extent of 14.62 acres from the Lok Adalat by filing a Settlement memo dated

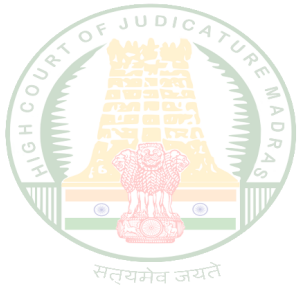


22.04.2018. Even though the learned counsel for the 1st respondent claims the suit property based on the patta and enjoying the suit property for more than 40 years without any disturbance from the revision petitioners, but, he has not established the title of the 1st respondent and the 2nd respondent by producing any title documents stands in their name. Only mutation of revenue records, the plaintiff neither creates nor extinguishes the property title. Hence, it makes clear that the plaintiff and the defendant fraudulently obtained the Lok Adalat Award dated 22.04.2018 for the entire extent of 14.62 acres by suppressing the exact extent of 1.83 acres by way of settlement memo dated 22.04.2018 entering into between them in S.No.149 collusively without impleading the revision petitioners in the said suit. Hence, the Lok Adalat Award dated 22.04.2018 passed by the Lok Adalat, Dharapuram is hereby set aside. Liberty is granted to both parties to work out their remedy for partition in the acre 1.83 extent of properties by filing separate suit in the manner known to law. Consequently, the suit in O.S. No.210 of 2017 is dismissed as no merits. Incorporate in suit register. DLSA is also directed to act with due diligence.

7. In the result, the Civil Revision Petition stands allowed. No Costs. Consequently, connected miscellaneous petition is closed.

04-06-2026

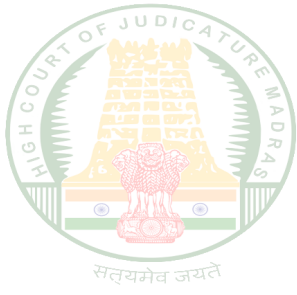
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To:

1. The District Munsif Court,
Dharapuram
2. DLSA, Sub Court- Dharampuram.



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CRP No. 271 of 2



T.V.THAMILSELVI J.

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