

C.R.P.(MD).No.3825 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD).No.3825 of 2025

and

C.M.P.(MD).No.20152 of 2025

- 1.Sundara Sivakumar
- 2.Valarmathi
- 3.Subbaiah @ Vanarajan
- 4.Pushparajamanidevi
- 5.Sathiyaraj
- 6.Jayashree
- 7.Latha
- 8.Suriyadevan
- 9.Nathiya
- 10.Ilakkiya

... Petitioners / Third Parties

-VS.-

- 1.S.Subbaiah
- 2.Sivaprakasam
- 3.Balasubramanian
- 4.K.Subbaiah
- 5.D.Sundaramanikandan
- 6.V.K.Vaiyapuri Ambalam
- 7.V.D.Maaran
- 8.P.Vaiyapuri
- 9.Paarirajan
- 10.Thavasundarapandi

... Respondents 1 to 4 / Plaintiffs

... Respondents 5 to 10 /
Defendants 1 to 6



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PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Award passed in L.A.No.172 of 2025 (Lok Adalat Organized by Taluk Legal Services Committee, Melur) in O.S. No.128 of 2024, on the file of the Sub Court, Melur, Madurai District dated 13.09.2025.

For Petitioners : Mr.M.Purushothaman,
for M.Kannan

For Respondents : Mr.Babu Rajendran

ORDER

The present Civil Revision Petition has been filed by the revision petitioner, who claims to be a legal heir of one Chellaiya and asserts a right over the suit schedule property. Originally, a suit in O.S.No.128 of 2024 was filed on 22.04.2024 for partition, wherein four persons were arrayed as plaintiffs and six persons as defendants. After institution of the suit, summons were issued to the defendants and the matter was posted on 12.06.2024. On that date, the Trial Court passed the following order:

“Advocate Mr.J.Imran Khan files vakalat for defendants 1 to 6. Both parties present and prayed time for compromise. The suit property stands in the name of Sri Pandianathar Parvadhavarshini Ammal Samadhi Trust temple. Hence it has to be impleaded as a party to this suit. Steps to be filed under section 92 CPC. Since the above said party is a trust. Call on



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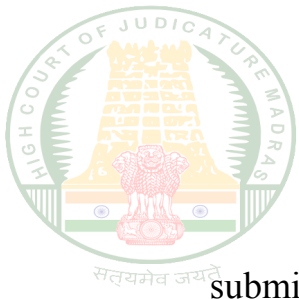
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10.7.2024. IA.2-2024 Steps to be filed as directed in the main suit. Under section 92 CPC call on 10.07.2024.”

Thus, the Court observed that the suit schedule property stood in the name of Sri Pandianathar Parvadhavarshini Ammal Samadhi Trust Temple and directed that the Trust be impleaded and that necessary steps be taken under Section 92 of CPC.

2. Subsequently, on 11.08.2024, the matter was referred to Lok Adalat and was later taken up in L.A.No.172 of 2025. A joint compromise memo dated 12.06.2025 was filed between the parties to the suit. Based on the terms recorded in the compromise memo, the Lok Adalat passed an award on 13.09.2025. Thereafter, on 15.09.2025, the Trial Court recorded the settlement arrived at before the Lok Adalat and disposed of the suit accordingly.

3. The learned counsel for the revision petitioner submitted that the petitioner is a legal heir of Chellaiya and has a subsisting right over the suit schedule property. According to him, the matter was hurriedly referred to the Lok Adalat and settled even before proper adjudication. He would further



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submit that there is interpolation in the date mentioned in the joint compromise memo, wherein the year “2025” appears to have been altered from “2024”. He contends that the proceedings are collusive in nature and that the compromise was entered into by suppressing his rights, without his knowledge, and without impleading the necessary parties.

4. It is further submitted that Chellaiya had three wives and that the revision petitioner is one of the descendants through the third wife, namely Andichi. According to him, neither the existence of the third wife nor the rights of her legal heirs were brought to the notice of the Trial Court. Therefore, he contends that the compromise entered into before the Lok Adalat is vitiated on account of non-joinder of necessary parties and suppression of material facts.

5. *Per contra*, the learned counsel appearing for the respondents submitted that the suit was one for partition among family members and that all parties to the suit had voluntarily entered into a compromise. The joint compromise memo was signed by all the parties and was placed before the Lok Adalat. The Lok Adalat, after satisfying itself, passed the award.



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Therefore, there is no question of fraud or suppression, and no infirmity can be found in the award passed by the Lok Adalat.

6. This Court has considered the rival submissions and perused the materials available on record.

7. Since the revision petitioner claims to be a legal heir of Chellaiya and asserts an independent right over the suit schedule property, and since he was not a party to the compromise entered into before the Lok Adalat, this Court is of the view that an opportunity must be granted to him to establish his claim before the Trial Court.

8. Accordingly, the award passed in L.A.No.172 of 2025 is set aside and the suit in O.S.No.128 of 2024 is restored to the file of the Sub Court, Melur. The Trial Court shall proceed with the suit in accordance with law. If the revision petitioner files an application seeking impleadment, the Trial Court shall independently examine his claim and decide the question of impleadment on its own merits, without being influenced by any observations made in this order.



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9. In view of the above, the Civil Revision Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

20.02.2026

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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To

The Sub Court, Melur,
Madurai District.



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N.SENTHILKUMAR,J.

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