

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.25590 of 2016

02.08.2016

Between:

Enugu Lachamma @ Lachavva and another

..Petitioners

And

The State of Telangana,
represented by its Principal Secretary,
Revenue Department, Hyderabad and others

..Respondents

Counsel for the petitioners: Mr.N.Hari Prasad

Counsel for respondent Nos.1 and 2: Government Pleader for
Land Acquisition (TS)

Counsel for respondent Nos.3 to 8: --

The Court made the following:

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ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for issue of *certiorari* to call for the records relating to the award, dated 26.04.2014, in O.S.No.24 of 2008 on the file of respondent No.3.

2. We have heard Mr.N.Hari Prasad, learned counsel for the petitioners, and perused the record.

3. The petitioners claim that petitioner No.1 succeeded to the properties left by her father including the house bearing Nos.3-75 and 3-75-1 along with her brother one Gaddam Raji Reddy and three of her sisters, consequent on the death of her father intestate in the year 1994. That respondent No.4, who is the son of one of the brothers of petitioner No.1, filed the aforementioned suit on the file of the Principal Senior Civil Judge, Mancherial, against the petitioners and the private respondents herein for partition and separate possession in respect of the agricultural lands including the aforementioned house property. That on 13.06.2015, respondent No.2 issued a notice to the petitioners to appear before him within three days and to receive compensation amount in terms of the Lok Adalath award, dated 26.04.2014. That on receipt of the said notice, the petitioners caused enquiries, through which they came to know that the private respondents colluded among themselves and obtained the Lok Adalath award by impersonating the petitioners and forging their signatures. The petitioners claim that immediately, they approached respondent No.3 and submitted a representation on 16.06.2015. As no action was allegedly taken by respondent No.3 and other official respondents to whom they also claimed to have made representations and on the contrary as respondent No.2 was allegedly trying to disburse the compensation amount as per the Lok Adalath award, the petitioners filed this writ petition.

4. Though in para 6 of her affidavit, petitioner No.1 averred that she

approached respondent No.3 and submitted a representation on 16.06.2015, wherein she brought out alleged fraud played by respondent No.4 and other private respondents, a copy of such representation has not been filed. However, the learned counsel for the petitioners has invited our attention to the purported representation, dated 01.07.2015, addressed to the Superintendent of Police, Adilabad, with copies marked to various judicial functionaries including the Chief Justice of this Court, the District Judge, Adilabad and the Principal Senior Civil Judge, Mancherial. In our opinion, if respondent No.4 played fraud on the petitioners, they had a right to approach the Lok Adalath, Mancherial – respondent No.3, which passed the award, for recalling the same, as fraud vitiates everything.

Instead of taking recourse to such a legal remedy, the petitioners have been needlessly approaching every other authority, who are bound by the Lok Adalath award. In this view of the matter, we are not inclined to entertain this writ petition for adjudication on merits. If the petitioners feel aggrieved by the purported Lok Adalath award, they are entitled to avail the legal remedy of approaching respondent No.3.

5. Subject to the above observations, the Writ Petition is dismissed.

6. As a sequel to dismissal of the writ petition, W.P.M.P.No.31608 of 2016 filed by the petitioners for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

A.V.SESHA SAI, J

02nd August, 2016

GHN