

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE MS. JUSTICE J.UMA DEVI

WRIT PETITION No.10246 of 2017

Date: 15.06.2017

Between:

1. K.Rani, W/o late K.Kailasam Mudali
and 2 others

.. Petitioners

and

1. The Presiding Officer, Lok Adalat,
Satyavedu, Chittoor District
and 6 others

.. Respondents

Counsel for the Petitioners : Mr.Y.Koteswara Rao

Counsel for the Respondents : Mr.K.Mohan Rami Reddy

THE COURT MADE THE FOLLOWING:

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

This writ petition is filed for issue of Mandamus to set aside the Award dated 23.04.2016 passed by the Lok Adalat, Satyavedu, Chittoor District, in L.A.No.39 of 2016 in O.S.No.80 of 2015 on the file of the Junior Civil Judge, Satyavedu. The petitioners sought for a consequential direction to respondent No.1 to modify the Award dated 23.04.2016 by including the land admeasuring 13' x 24' in the schedule of property of O.S.No.80 of 2015.

From the admitted pleadings of the petitioners, it is evident that the impugned award was passed based on the compromise between the parties and that the suit schedule property was the basis for the parties entering into compromise. In this writ petition, the petitioners pleaded that the extent of property admeasuring 13' x 24' was inadvertently omitted from the suit schedule property and that if the Lok Adalat award is not amended, they would suffer irreparable injury.

Learned Counsel for respondent Nos.2 to 7 submitted that the property which the petitioners are seeking inclusion of in Lok Adalat award was not subject matter of the suit and consequently it was also not subject matter of dispute and settlement before the Lok Adalat.

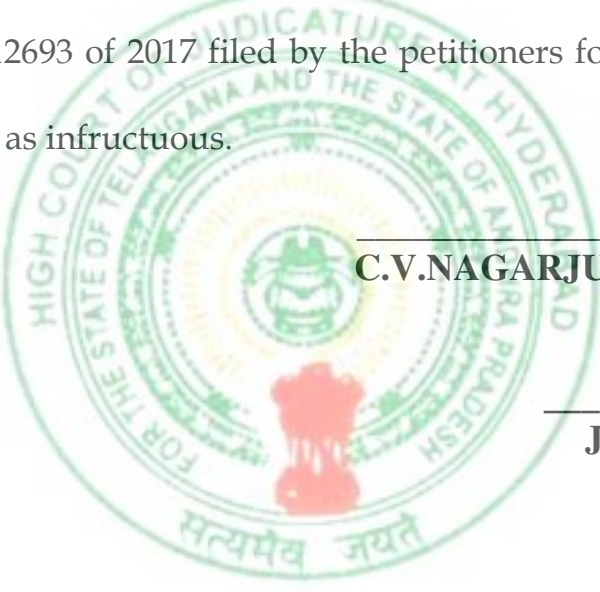
It is not the pleaded case of the petitioners that Lok Adalat award was not in conformity with the suit schedule property. When

the petitioners themselves omitted the aforementioned property from the suit schedule, they cannot seek modification of the award.

On the aforementioned facts of the case, the petitioners are not entitled to the relief claimed in the writ petition.

The Writ Petition is, accordingly, dismissed. However, we make it clear that dismissal of the writ petition would not preclude the petitioners from availing appropriate legal remedy in respect of the property which is the subject matter of the present writ petition.

As a sequel to dismissal of the writ petition, W.P.M.P.No.12693 of 2017 filed by the petitioners for interim relief, is disposed of as infructuous.



C.V.NAGARJUNA REDDY, J

J.UMA DEVI, J

Dt: 15.06.2017
Gsn.