

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE Ms. JUSTICE J.UMA DEVI

W.P.No. 24812 OF 2017

DATED 27TH JULY, 2017

Between:

M.Bharathi Reddy and another ... Petitioners

AND

Telangana State Legal Services Authority,
2nd Floor, Nyaya Seva Sadan,
City Civil Court Compound, Purani Haveli,
Hyderabad, and others ... Respondents

Counsel for the petitioners : Sri Prabhakar Sripada

Counsel for respondent Nos. 1 & 2 : Sri J.Anil Kumar

Counsel for respondent Nos. 3 to 8 : --

THIS COURT MADE THE FOLLOWING

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

This Writ Petition is filed to direct respondent No. 2 to entertain the joint application being filed by the petitioners and respondent Nos. 3 to 8 and record compromise.

2. At the hearing, Sri J.Anil Kumar, learned standing counsel for respondent Nos. 1 and 2, submitted that since the petitioners seek recording of compromise in a pending suit *i.e.* O.S.No. 194 of 2012 on the file of the Court of Additional District Judge, Vikarabad, as per the prescribed procedure, they need to make an application before the said Court for referring the suit to Lok Adalat for effecting compromise and that therefore the petitioners are not entitled to claim relief of *mandamus* for entertaining their application by respondent No. 2.

3. Sri Prabhakar Sripada, learned counsel for the petitioners, has not disputed this stand. He, however, stated that the grievance with which the present Writ Petition is filed is that respondent No. 2 has not been entertaining the application sought to be presented by them on the ground that petitioner No. 2 has to be personally available while presenting the petition. This aspect would be relevant only after the case is referred to Lok Adalat. Therefore, without adjudicating the issue raised by the petitioners, the Writ Petition is disposed of while permitting the petitioners to make an application before Additional District Judge, Vikarabad, for reference of the dispute to respondent No. 2. On such reference, petitioner No. 1 is permitted to represent before respondent No. 2 to record compromise even in the absence of petitioner No. 2. We do not have any reason to doubt that if such representation is made, respondent No. 2 will consider the same and take a decision in accordance with law.

4. Subject to the above observations, the Writ Petition is disposed of.

5. As a sequel to disposal of the Writ Petition, W.P.M.P.No. 30746 of 2017 stands closed as infructuous.

C.V.NAGARJUNA REDDY, J.

J.UMA DEVI, J.

Date: 27-07-2017

Note:

The appearance of Sri J.Anil Kumar, learned counsel, shall be shown subject to his entering appearance within three days from today.

B/O
JSK

