



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2022

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No.34075 of 2018

WEB COPY

Pappathi

...Petitioner

Vs

1. The Chairman,
The State Legal Service Authority,
A.D.R. Buildings,
High Court,
Chennai 600 104.
2. The District Chairman,
District Legal Services Authority,
Court Buildings,
Erode.
3. The President,
The Taluk Legal Service,
Perundurai Court Buildings,
Perundurai.
4. The Sub Registrar,
Chennaiimalai SRO,
Erode District

...Respondents

Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to amend the last line "Sub Registrar, Chennaiimalai" instead of "Sub Registrar, Erode" in the terms and settlement in Lok Adalat Case No.164 of 2013 on the file of the District Legal Services Authority, Erode at Perundurai in Court case No.I.P.No.64 of 2012 on the file of II Additional Sub Court, Erode based on the petitioner's representation dated 16.07.2018.

For petitioner ... Mr. M. Saravanakumar

For respondents ... Mr. P. Baladhandayutham
Spl. G.P.

ORDER

This writ petition has been filed to amend the decree passed by the District Legal Services Authority, Erode at Perundurai in Lok Adalat Case No.164 of 2013.



2. According to the petitioner, insolvency petition in I.P.No.6 of 2002 has been filed before the II Additional Subordinate Court, Erode by one N.Shanmugam against one K.C.Velusamy and the petitioner's son G.K.Chellamuthu, who is the purchaser of the property from the debtor/K.C.Velusamy. Then the matter has been settled between the parties before the Lok Adalat conducted by the District Legal Services Authority, Erode and the decree was directed to be communicated to the Sub-Registrar, Erode. However, the concerned Sub-Registrar is Chennimalai, where the sale deed of the petitioner's son has been registered. In the said circumstances, the present writ petition has been filed to correct the decree as "Sub-Registrar, Chennimalai" instead of "Sub-Registrar, Erode."

3. Heard both sides and perused the materials available on records carefully.

4. It is now settled by law that any award passed by the Lok Adalat can be challenged by way of filing writ petition under Section 226 of the Constitution of India. The Hon'ble Supreme Court of India, in the case of State of Punjab & another /vs/ Jalour Singh & others reported in 2008(1) TN MAC 244(SC) = 2008 (2) SCC 660, held that the award of the Lok Adalat can be challenged by filing writ petition under Article 226 of the Constitution of India, which is also followed by the Hon'ble Supreme Court in the case of Bharvagi Constructions & another /vs/ Kothakapu Muthyam Reddy and others reported in 2017 (5) CTC 775.

5. Considering the fact that the petitioner only wants to correct the minor clerical error in the award, this Court is inclined to correct the jurisdiction of Sub Registrar, Chennimalai instead of Sub Registrar, Erode.

6. Accordingly, the last line of the award passed by the District Legal Services Authority, Erode in Lok Adalat Case No.164 of 2013 (I.P.No.6 of 2002 on the file of the II Additional Sub Court, Erode) shall stand amended as "Sub Registrar, Chennimalai " instead of "Sub Registrar, Erode."

7. With the above direction, this writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

mrp



To

1. The Chairman,
The State Legal Service Authority,
A.D.R. Buildings,
High Court, Chennai 600 104.

2. The District Chairman,
District Legal Services Authority,
Court Buildings,
Erode.

3. The President,
The Taluk Legal Service,
Perundurai Court Buildings,
Perundurai.

4. The Sub Registrar,
Chennai-malai SRO,
Erode District.

+1cc to Mr.A.Saravana Kumar, Advocate, S.R.No.19276

+1cc to the Government Pleader, S.R.No.19535

W.P. No.34075 of 2018

GMR(CO)
RN(23/05/2022)