



W.P(MD)No.9058 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.9058 of 2023
and WMP(MD)No.8208 of 2023

V.Perumal

... Petitioner

Vs

1. The Chairman/ District Judge,
Permanent Lok Adalat,
District Legal Service Authority,
Tiruchirappalli District, Tiruchirappalli.
2. The Commissioner,
Manapparai Municipality, Manapparai,
Trichy District.
3. Domenic Paulraj

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order in the nature of Impugned Award, dated 15.03.2023 passed by the first Respondent in his proceedings in I.A.No.1 of 2023 in Permanent Lok Adalat Case No.1 of 2022, on the file of the first Respondent and quash the same.



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For Petitioner :Mr.B.Prahalad Ravi
For R2 :Mr.M.Siddarthan
Standing Counsel

ORDER

The writ petition has been filed in the nature of Certiorari, seeking an interference with the Award, dated 15.03.2023 passed by the first Respondent/Chairman/ District Judge, Permanent Lok Adalat, Tiruchirappalli District, in I.A.No.1 of 2023 in Permanent Lok Adalat Case No.1 of 2022.

2.A complaint was given before the first respondent by the third respondent herein, raising various allegations against the petitioner. The Legal Services Authority, Tiruchirappalli had directed notice to the petitioner.

3.It is seen from the order that the petitioner had taken a conscious stand not to appear before the said authority. The petitioner should realise that when notice is issued from any public authority, there is an obligation to answer the said notice. He can raise objections to jurisdiction, objections to maintainability of petition. But the fundamental duty is to appear. If he did not appear, he has no right to seek interference of the Award



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passed by the authority and he has to suffer the said Award that he is not to do any mechanical work that pollute the air, after sunset. There is some reasons in the order, because general public only benefitted by the said order. However, an opportunity is given to the petitioner. Therefore, the impugned order is set aside and remitted to the first respondent for fresh consideration, even without issuing notice to the third respondent.

4.A direction is given to the first respondent to issue a fresh notice to the petitioner therein/third respondent herein and the respondent therein/petitioner herein and both parties can raise all issues both on facts and law. Thereafter, the first respondent is directed to pass necessary orders in accordance with the provisions of the Legal Services Authorities Act, 1987.

5.With the above directions, this writ petition stands dismissed.

No costs. Consequently, connected miscellaneous petition is closed.

20.04.2023

NCS :Yes/No
Index :Yes/No
Internet:Yes/No
PNM



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To

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2. The Commissioner,
Manapparai Municipality, Manapparai,
Trichy District.



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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
W.P(MD).No.9058 of 2023
and WMP(MD)No.8208 of 2023

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