



WEB COPY



W.P.No.9498 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

**W.P.No. 9498 of 2021**

N.Selvakumaran

.... Petitioner

Vs

1. Lok Adalat,  
District Legal Service Authority,  
Villupuram & District.

2. Azhagesan  
3. Ganesan

4. The New India Assurance Company Ltd.,  
No.159, Ganesapuram,  
Nagercoil,  
Kanniyakumari District.

5. HDFC ERGO General Insurance Company Ltd.,  
No.12, V.O.C.Street,  
Villupuram Town & District.

.... Respondents

**Prayer:-** Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for entire records connected with the impugned Lok Adalat Award dated 11.03.2020 in L.A.C.No.241 of 2018 in MCOP No.43 of 2018 passed by



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Lok Adalat, District Legal Services Authority, Villupuram and quash the same, consequently, direct the learned Special Sub Judge-I, Villupuram to proceed the case in MCOP No.43 of 2013 in accordance with law.

|                   |                         |
|-------------------|-------------------------|
| For Petitioner    | : Mr.E.Sathiyaraj       |
| For R1 to R3 & R5 | : No appearance         |
| For R4            | : Mr.S.Dhakshinamoorthy |

### **ORDER**

This Writ Petition has been filed challenging the Award passed by the Lok Adalat dated 11.03.2020 in L.A.C.No.241 of 2018 in M.C.O.P.No.43 of 2018.

2. The petitioner met with an accident, while he was driving his car with the passengers from Villupuram to Perambalur on National Highways on 06.05.2016. Due to the said accident, he sustained injuries. Immediately, he was taken to Ulundurpet Government Hospital and then to Chennai for further treatment. Thereafter, he was discharged from hospital and filed claim petition in MACTOP No.43 of 2018 on the file of the Special Sub Judge-I, Villupuram, claiming compensation of Rs.12,00,000/-. Thereafter, the matter was referred before the Lok Adalat. The petitioner and other three persons travelled in the car and all the injured persons were filed claim petitions separately. All the claim



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petitions were ordered. At the Lok Adalat, the petitioner, along with others, agreed to receive a sum of Rs.50,000/- as full and final settlement. Accordingly, Lok Adalat had passed an order. According to the petitioner, he has spent more than Rs.3,00,000/- for medical expenses. Due to compulsion of his counsel, he agreed for the said sum of Rs.50,000/-. Hence, the present writ petition.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. In the considered opinion of this Court, the petitioner failed to make any ground to satisfy this Court that the Lok Adalat award was passed on any coercion or fraud. Therefore, this Court finds no infirmity or illegality in the award passed by the Lok Adalat. Thus the writ petition is devoid of merits and is liable to be dismissed. No costs.

14.06.2024

Internet : Yes  
Index : Yes/No  
Speaking/Non-speaking order  
Neutral Citation : Yes/No  
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