



W.P.No.2186 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2186 of 2020

S.Suseela

... Petitioner

Vs.

1.The District Legal Service Authority,
Villupuram.

2.The Taluk Legal Service Committee,
Gingee,
Villupuram District.

3.Muniammal

4.Tamil Selvi

5.Minor Bhavaneswari

6.Minor Kumaresan

7.The Junior Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Gingee, Villupuram District.



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8.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Gingee, Villupuram District.

9.The Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Gingee, Villupuram District.

10.The Superintendent Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Villupuram.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the respondents 1 and 2 in Villupuram District Lok Adalat in L.A.No.47 of 2006 in Case No.303 of 2000 on the file of the Principal District Munsif Court, Gingee, passed by the respondent Nos.1 and 2 dated Nil and quash the same and consequently direct the respondent Nos.1 and 2 to delete the name of Muniyammal, as legal heir of illegitimate wife of the petitioner's husband, Subramani.

For Petitioner : Mr.K.P.Chandrasekaran

For Respondent : Mr.LSM.Hasan Fizal
Additional Government Pleader
for R1 and R2

Mr.D.Senthil Kumar



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for R3 to R6
Mr.P.Subramanian
for R7 to R10

ORDER

This Writ Petition has been filed challenging the Lok Adalat award passed in I.A.No.47 of 2006 in Case No.303 of 2000 by the respondent Nos.1 and 2 dated Nil and for a consequential direction to the respondent Nos.1 and 2 to delete the name of Muniyammal, as the illegitimate wife of the petitioner's husband, Subramani.

2. The learned counsel appearing for the petitioner submits that the petitioner's husband was working as lineman at Tamil Nadu Electricity Board, Gingee Taluk, and he died intestate leaving behind the petitioner and her children as his legal heirs. However, one Muniyammal stating that she is the legally wedded wife of late Subramani claimed right over the monetary benefits of late Subramani and the properties. Therefore, the petitioner filed suits in O.S.No.303 of 2000 and O.S.No.480 of 2004. During the course of



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trial, the matters were referred to Lok Adalat. The suit in O.S.No.480 of 2004 was decreed in favour of the petitioner based on the compromise entered between the parties. It is the case of the petitioner that in O.S.No.303 of 2000, she has consented that the children born to one Mangammal was through her husband and not to Muniyammal, however, in the Lok Adalat Award, 1/2 share in the benefits has been given to the legal heirs of Muniyammal and 1/2 share in the benefits has been given to the petitioner. The petitioner alone is entitled to full pension. Challenging the Lok Adalat Award passed in I.A.No.47 of 2006 in O.S.No.303 of 2000, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 and 2, the learned counsel appearing for the respondents 3 to 6 and the learned counsel appearing for the respondents 7 to 10.



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4. The present Writ Petition has been filed challenging the Lok Adalat award passed in I.A.No.47 of 2006 in O.S.No.303 of 2000 by the respondents 1 and 2. However, the Lok Adalat award cannot be interfered by this Court in the writ jurisdiction under Article 226 of the Constitution of India, since every award made by a Lok Adalat shall be final and binding on all the parties to the dispute, and no appeal shall lie to any Court against the award, as per Section 21 of the Legal Services Authorities Act, 1987. Moreover, the petitioner has signed in the Lok Adalat Award in the presence of the Judicial Officers and admitted her signature. Further, though the averments of the petitioner are otherwise in the writ petition, however, a perusal of the decree as also the Lok Adalat award reveals that the case was filed against one Muniyammal and not Mangammal as claimed and therefore, the petitioner cannot now come before this Court and challenge the Lok Adalat award. Therefore, the impugned Lok Adalat Award passed in I.A.No.47 of 2006 in Case No.303 of 2006 by the respondents 1 and 2 cannot be interfered with by this Court.



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5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To

- 1.The District Legal Service Authority,
Villupuram.
- 2.The Taluk Legal Service Committee,
Gingee,
Villupuram District.
- 3.The Junior Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Gingee, Villupuram District.
- 4.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Gingee, Villupuram District.
- 5.The Executive Engineer,



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Tamil Nadu Generation and Distribution Corporation Limited,
Gingee, Villupuram District.

6.The Superintendent Engineer,
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M.DHANDAPANI, J.

ssb

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