



W.P.(MD)No.21668 of 2018

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.11.2024**

CORAM:

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

W.P.(MD)No.21668 of 2018
and W.M.P.(MD)No.19581 of 2018

Senthilkumar

... Petitioner

/Vs./

1. The District Legal Services
Authority, Pudukottai,
Rep. by its Chairman
2. The Principal District Judge
Pudukkottai.
3. Sangilimuthu
4. Vembu
5. Saravanakumar
6. Viji Malar
7. The Joint Sub Registrar No.1
Public Offices Premises,
Pudukkottai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the award in No.1340/2014 on the file of the first respondent relating to O.S.No.52 of 2012 on the file of the second respondent.

For Petitioner : Mr.R.P.Ramachanthiran

For Respondents : Mr.D.Gandhiraj

Special Government Pleader for R7

: Mr.C.Arunmozhi Rajashankar for R1&2



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: Mr.G.Mathavana for R3

: No appearance for R4 & 7

ORDER

This Writ Petition has been filed challenging the award passed by the first respondent in Lok Adalat in No.1340/2014 in O.S.No.52 of 2012 on the file of the second respondent.

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

3. The petitioner is the one of the defendants along with the respondents 5 and 6, in O.S.No.52 of 2012. While pending the suit, the petitioner went Abroad by giving power of attorney in favour of the fourth respondent herein, who is none other than his mother. When the power of attorney was in very much in force, the matter has been referred before the first respondent for amicable settlement before the first respondent. The parties had entered into amicable settlement. Since the suit itself was partitioned, accordingly, they have proportionate their respective shares and entered into compromise. Accordingly, the award



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has been passed by the first respondent. Now, the only ground raised by the petitioner is that when the petitioner is not in India, his brother settled the issue on one sided.

4. On perusal of the compromise memo entered between the parties, it revealed that all of them had agreed to sign in the compromise memo. That apart, all were given their respective shares, according to their compromise. The award passed by the Legal Services Authority can be challenged only by way of any fraud committed by the parties. It is not the case of the petitioner that his mother committed fraud, while consenting for compromise.

5. In view of the above, this Court finds that there is no infirmity or illegality in the award passed by the first respondent. Hence, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes/No
NCC : Yes / No
LS

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G.K.ILANTHIRAIYAN, J.

LS

TO:-

1. The Chairaman
District Legal Services Authority,
Pudukottai.
2. The Principal District Judge
Pudukkottai.
3. The Joint Sub Registrar No.1
Public Offices Premises,
Pudukkottai.

Order made in
W.P.(MD)No.21668 of 2018

Dated:
25.11.2024