



W.P.(MD).No.26982 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.26982 of 2024

and

W.M.P.(MD)Nos.22866, 22868 & 22871 of 2024

V.Jeyarani

... Petitioner

VS

1.The Chairman,
Taluk Legal Services Committee,
Nanguneri Taluk,
Tirunelveli.

2.The District Registrar,
Registration Department,
Tirunelveli.

3.The Sub Registrar,
Registration Department,
Nanguneri Taluk,
Tirunelveli.

4.The Inspector of Police,
Vijayanarayanam Police Station,
Vijayanarayanam,
Thisaiyanvilai Taluk,
Tirunelveli.

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5.James,

6.Princes Mary,

7.Daniel,

8.Lejisha,

9.Seбина,

10.Leenus.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari, to call for the records relating to the impugned Compromise Award of the first respondent dtd 11.09.2021 passed in O.S.No. 128 of 2021 on the file of the Sub Court, Nanguneri and quash the same in so far as the land properties purchased by the petitioner by virtue of the above said registered Sale Deed bearing Doc.No.3242 of 2013 dated 04.10.2013 as the same is not binding on the petitioner.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R2 & R3
Mrs.M.Aasha
Government Advocate for R4
Mr.C.Mayilvagana Rajendran
for R5, R6 & R8 to R10



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ORDER

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This Writ Petition has been filed challenging the award passed by the first respondent dated 11.09.2021 in O.S.No. 128 of 2021 on the file of the Sub Court, Nanguneri in so far as the properties purchased by the petitioner by virtue of the registered Sale Deed dated 04.10.2013 *vide* Doc.No.3242 of 2013.

2. The petitioner was purchased the property comprised in Survey No. 176A/1A3 (176/A1A3) under patta No.1966 ad-measuring 7.51 cents (3273.75 sq.ft) situated in Ilankulam Village, Nanguneri Taluk, Tirunelveli District and the property comprised in Survey No.625 ad-measuring 121.5 sq.m., on the west part out of 3.34.5 hectares situated in Ramakrishnapuram Village, Nanguneri Village, Moolaikaraipatti, Tirunelveli by a registered sale deed, dated 04.10.2013 *vide* Doc.No.3242 of 2013.

3. While being so, the respondents 5 and 6 filed a suit in O.S.No.91 of 2010 on the file of the Sub Court, Valliyoor, Tirunelveli as against the seventh respondent. Thereafter, they entered into a compromise before the Lok Adalat



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and accordingly, the first respondent passed award including the property, which was purchased by the petitioner. In pursuance of the Lok Adalat award, the fifth respondent settled his share in favour of the respondents 8 to 10, who are being the daughters and son of the fifth respondent.

4. Admittedly, the petitioner or the petitioner's vendor was not a party to the said suit. The suit was filed by the respondents 5 and 6 as against seventh respondent for partition, in which they obtained compromise decree. Therefore, on perusal of the award passed by the first respondent, they executed the settlement deed including the petitioner's property.

5. The award passed by the first respondent dated 11.09.2021 in O.S.No. 128 of 2021 on the file of the Sub Court, Nanguneri is liable to be quashed in so far as the property was purchased by the petitioner *vide* registered sale deed dated 04.10.2013 *vide* Doc.No.3242 of 2013.

6. The petitioner is directed to file implead petition in the suit filed by the respondents 5 and 6 herein in O.S.No.91 of 2010 on the file of the Sub Court, Valliyoor, Tirunelveli District. On submission of Written Statement,



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the Trial Court is directed to conduct the trial and disposed of the suit within a period of 12 weeks from the date of filing of the written statement by the petitioner.

7. With above directions, this Writ Petition is disposed of. No costs.
Consequently, connected miscellaneous petitions are closed.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd/pnm

To

1.The District Registrar,
Registration Department,
Tirunelveli.

2.The Sub Registrar,
Registration Department,
Nanguneri Taluk,
Tirunelveli.

3.The Inspector of Police,
Vijayanarayanam Police Station,
Vijayanarayanam,
Thisaiyanvilai Taluk,
Tirunelveli.

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4.The Sub Judge,
Valliyur,
Tirunelveli.



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G.K.ILANTHIRAIYAN,J.

apd/pnm

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