

W.A.No.2254 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2025

CORAM:

THE HON'BLE MRS.JUSTICE J.NISHA BANU

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.A.No.2254 of 2025
and C.M.P.No.17284 of 2025

1.N.Anusuya
2.N.Baskaran

.. Appellants

vs.

1.The Taluk Legal Services Committee,
Arakkonam.

2.The Collector of Vellore District,
Collector Office, Sathuvacharai,
Vellore District.

3.The Revenue Divisional Officer,
RDO Office, Ranipet.

4.The Tahsildar,
Arakkonam Taluk Office,
Arakkonam.

5.M.Subramaniya Reddy

6.Raman,

7.Narasimman

8.M.Natarajan

9.K.Sumathi

10.S.P.Sampath Kumar

11.S.Prabhakaran

12.The Sub-Registrar, Arakkonam,



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Arakkonam.

.. Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 18.10.2024 made in W.P.No.26660 of 2024.

For Appellant : Mr.J.Srinivasa Mohan
for M/s.TVJ Associates

For Respondents : Mr.R.Kumaravel
Additional Government Pleader
for R2 to R4

Mr.Stalin Abimanyu,
Additional Government Pleader for R12

JUDGMENT

(Judgment of the Court was delivered by **J.NISHA BANU, J.**)

This writ appeal is preferred as against the order of the Writ Court dated 18.10.2024 made in W.P.No.26660 of 2024.

2. The writ petitioners are the appellants herein. The facts of the case would disclose that the 5th respondent filed a Suit in O.S.No.269 of 2012, later renumbered as O.S.No.361/2014 against the Revenue, seeking bare injunction restraining the District Collector, RDO and the Tahsidar, respondents 2 to 4 from changing the revenue records in respect of suit properties. The 5th respondent settled the entire property in favour of his sons namely the respondents 6 and 7 in the year 2009. The 5th respondent made a rival interest

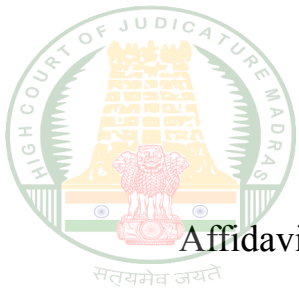


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in the property based on the documents executed by the husband of the 1st petitioner and also claims that the 1st petitioner's husband as his adopted father. It is countered by the petitioners that the 5th respondent is the son of some other person and not born to the 1st petitioner's husband. The 5th respondent claimed that the revenue department was trying to interfere and therefore, he filed the suit of bare injunction against the revenue and subsequently impleaded the petitioners as the defendants by amending the prayer as a declaration suit, which ended in a compromise before the Lok Adalat, vide award dated 11.07.2022, passed in favour of the 5th respondent. Being aggrieved by the same, the appellants/writ petitioners filed the aforesaid writ petition. The Writ Petition, after contest, came to be dismissed against which the instant writ appeal is filed.

3. The learned counsel appearing for the appellants would contend that if fraud cannot be gone into in a Writ Petition, then such a reasoning is diametrically opposite to the judgment of the Hon'ble Apex Court regarding grounds of interference against a Lok Adalat award and the forum in which such challenge is to be made. It is further contended that the suit for bare injunction against the Revenue was converted into a title suit, in which the 1st appellant was fraudulently impleaded in the Suit by forged Vakalat and

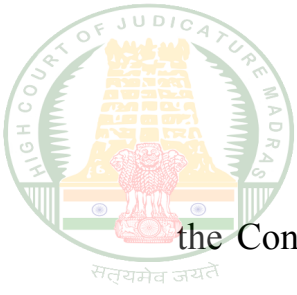


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Affidavit, but the Writ Court has failed to consider that the Award passed by the Lok Adalat is vitiated by fraud and therefore, prays for interference.

4. Heard the learned Additional Government Pleader for the respondents and also perused the materials on record.

5. The primordial contention of the appellants before the Writ Court as well as before this Court is that the appellants were impleaded as parties to the Suit by forging their signatures in the Vakalat and therefore, the award of the Lok Adalat was obtained by playing fraud and on that score, the entire proceedings is vitiated. The said issue is no longer res integra in the light of the decision of the Hon'ble Apex Court in ***Bhargavi Constructions & Another v. Kothakapu Muthyam Reddy and Others reported in [2008 (2) SCC 660]***, wherein it was held that when a Lok Adalat award was obtained by the parties to the Suit by playing fraud / misrepresentation, the aggrieved party shall file an appeal before the High Court. Be that as it may, the appellants herein have admitted their signatures in the award, but raised the plea that it has been obtained by fraud, which is a disputed question of fact. In such circumstances, the remedy available to the parties is to agitate before the appropriate forum and not to invoke writ jurisdiction under Article 226 of



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the Constitution of India. The Writ Court has taken into consideration all these aspects in proper perspective and rightly dismissed the writ petition, which in the considered opinion of this Court is a well considered and reasoned order and does not warrant any interference from this Court.

6. Accordingly, the Writ Appeal stands dismissed. No costs. consequently connected miscellaneous petition is also dismissed.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
22-07-2025

ASI

To

1.The Taluk Legal Services Committee,
Arakkonam.

2.The Collector of Vellore District,
Collector Office, Sathuvacharai,
Vellore District.



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3.The Revenue Divisional Officer,
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