



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A No. 1806 of 2025

S.Suseela

... Appellant

Vs.

1. The District Legal Service Authority,
Villupuram.

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

3.Muniammal

4. Tamil Selvi

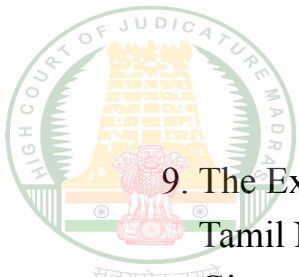
5. Minor havaneswari

6. Minor Kumaresan

respondents 5 and 6 are rep. by their guardian/mother
the 3rd respondent Muniammal.

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

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



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

10. The Superintendent Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Villupuram District. ... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act to set aside the order dated 14.10.2024 in W.P.No.2186 of 2020 on the file of this court.

For Appellant(s): Mr.K.P.Chandrasekaran

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ORDER

(Order of the Court was made by *J.NISHA BANU, J.*)

This writ appeal has been filed to set aside the order passed by this Court dated 14.10.2024 in W.P.No.2186 of 2020 and to allow the writ appeal.

2. The appellant herein filed the above writ petition to quash the Lok Adalat Award passed by the Principal District Munsif, Gingee in L.A.No.47 of 2006 in O.S.No.303 of 2000, dated nil and consequently direct the respondents 1 and 2 herein to delete the name of Muniammal, as legal heir of petitioner's husband, since she is an illegitimate wife. The said writ petition was dismissed by this Court on 14.10.2024. Challenging the above order, the present writ appeal has been filed.



3. Heard the learned counsel for the appellant and perused the materials on record.

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4. It is seen from the records that the appellant herein filed a suit in O.S.No.303 of 2000 before the Principal District Munsif Judge, Gingee against one Muniammal (3rd respondent herein) and others seeking to give all death benefits of her deceased husband Subramanian to her and also to appoint her in any of the posts suitable to her on compassionate ground. She also filed another suit in O.S.No.480 of 2004 before Principal District Munsif Judge, Gingee to declare the suit properties are absolute property of the appellant and also consequential injunction against Muniammal from interfering with her peaceful possession and enjoyment of the suit properties. Both the cases were referred to Lok Adalat and an Award (L.A.No.47 of 2006) was passed with regard to O.S.No.303 of 2000, declaring the appellant herein and also Muniammal and her children Tamilselvi, Minor Buvaneswari and Minor Kumaresan (defendants 1 to 4) are the legal heirs of deceased Subramanian and the appellant as well as Muniammal and her children are entitled to 1/2 share each in the said death benefits. As far as the prayer seeking employment on compassionate ground is concerned, it was ordered that the same will be decided later. Likewise with regard to O.S.No.480 of 2004, an award was passed as per the terms of the settlement memo entered into between the appellant and Muniammal.



5. In such circumstances, the appellant herein, filed the instant writ petition challenging the above said Lok Adalat Award (L.A.No.47 of 2006) passed in O.S.No.303 of 2000 stating that she had consented only for the children born to the illegal wife Mangammal through her husband but not to Muniammal, however, Lok Adalat Award has been passed, giving 1/2 share each to the appellant as well as Muniyammal and her children. It was also contended by the appellant that, only when she received the pension, she came to know that she received half of the total pension amount and hence, she filed the said writ petition.

6. Generally, Lok Adalat Awards are final and are considered equivalent to decrees of a civil court and binding on all the parties involved. Further Lok Adalat Award cannot be appealed, unless if the Award is challenged under specific circumstances that the Award obtained in a fraudulent manner or lack of jurisdiction.

7. Here in this case, a perusal of the plaint in O.S.No.303 of 2006 shows that the appellant filed the suit against one Muniammal and her children and also against the Electricity Board, in which her husband Subramanian worked as an employee and she had not filed the above suit against Mangammal, as pleaded by her in the writ petition. Further, a perusal of the award reveals that the award has been passed only in the presence of appellant and the respondents



concerned, especially after mutual discussion between the parties and giving consents for settlement by them. The appellant herein and her counsel signed the Award, after agreeing the terms and conditions of the same. Therefore, after passing the Award, the appellant cannot plead that the respondent is not entitled to any of the death benefits of the deceased Subramani, as she is illegitimate wife, that too by giving false statement that she had contested the case as the children born to illegitimate wife Mangammal through her husband and not to Muniammal, third respondent herein. The learned Single Judge, after perusal of the materials on record, rightly dismissed the writ petition and we do not find anything to interfere the same.

7. Accordingly, this writ appeal is dismissed. There shall be no order as to costs.

(J.N.B.J.)

(M.J.R.J.)

19.06.2025

mst

To

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



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