



WP No. 15396 of 2018



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-09-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 15396 of 2018
AND WMP NO. 18286 OF 2018**

1. U.Jinadoss,
2. D.selvaraj,
3. A.Ramakrishnan,
4. Poongkuzali,
5. K.Kathirvelu,

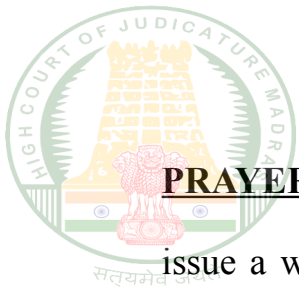
Petitioner(s)

Vs

1. The Taluk Legal Services
Committee, District Munsifs Court
Buildings, Alandur, Chennai-600 016.

- 2.K.Lakshmi,
- 3.D.Nagaraj
- 4.N.Vigneshwari,
- 5.The Sub Registrar,
Velachery, Chennai.

Respondent(s)



PRAYER; This petition is filed under Article 226 of Constitution of India, to issue a writ of Certiorari Mandamus Calling for the records on the file of the respondents pertaining to the Award passed by the Lok Adalat conducted under the aegis of the 1st respondent on 20.06.2017 in O;S.No.1091 of 2013 on the file of the District Munsif Court at Alandur and to quash the same as being illegal as obtained by collusion and fraud and defeating the rights of the petitioners and to consequentially direct the 5th respondent herein to cancel the sale Deed dated 07.07.2017 executed by the 2nd respondent through the 4th respondent in favour of the 3rd respondent and registered as Document No.4204 of 2017 on the file of the 5th respondent in respect of the property at Plot No.730 Part (Western side), measuring 2406sq. ft. in Ram Nagar South, 7th Main Road, comprised in S.No.116/2 and 116/3, patta No.7256, as per patta S.No.116/1A1B, New Survey no.116/49 in Kattakaran Thakku, No.7, situated in No.97, Madipakkam Village, Sholinganallur Taluk, Kancheepuram District.

For Petitioner(s): MR. R. SARAVANAN
FOR M/s.T. SAIKRISHNAN
For Respondent(s): Mrs.S.DIVYA FOR R2
M/S AM. AYYADURAI FOR R1
MR. U. BARANIDHARAN, SPL.G.P
FOR R5
RR3 & 4 - NO APPEARANCE



ORDER

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The petitioners have filed this writ petition seeking to upset the award by the Lok Adalat in a dispute between the second and third respondent herein.

2. A perusal of the affidavit filed by the petitioners herein, it reveals that the parties are at logger heads with each other and civil suits and police complaint have been filed between them. The instant award that is challenged by the petitioners is primarily a dispute between the respondents 2 & 3. The third respondent had filed a original suit in O.S.No.1091/2013 before the learned District Munsif Court, Alandur against the second respondent praying for a permanent injunction restraining the second respondent from terminating the joint development agreement dated 06.03.2011 and to declare the power of attorney has been without any legal effect and not binding. The said suit was referred to Lok Adalat and the parties viz., the respondents 2 & 3 arrived at a settlement and accordingly, the Lok Adalat was pleased to pass an award dated 20.06.2017. The said award is sought to be set aside by the petitioners in this writ petition. In the suit in O.S.no.1091/2013 is primarily between the respondents 2 & 3. According to the petitioners, their claim is sought to be



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defeated by the respondents and the said suit itself is collusive suit. It has to be borne in mind that the suit is of the year 2013. Award was passed by the Lok Adalath in 2017. The writ petition is of the year 2018. If the claim of the petitioners is genuine, nothing prevented the petitioners by approaching the civil suit filed in the year 2013 with an application to implead themselves, to be heard as a party. Having allowed the suit to be decreed before the Lok Adalat, now it is too late in the day to contend that the suit in O.S.No.1091/2013 is collusive suit filed by the third respondent against the second respondent to defeat the lawful rights of the petitioners. It is however true that as against the award passed by the Lok Adalat in certain cases, a writ petition would lie. However, this is not a fit case where this Court would interfere with the award passed by the Lok Adalat. More especially, when the suit is of the year 2013 and the petitioners had ample opportunities and time to implead themselves in the said suit. This Court is also aware that there are multiple proceedings pending between the parties. Therefore, the petitioners ought to have been vigilant, if, as claimed by them, the rights were sought to be defeated by the respondents 2 & 3 by colluding together. The writ petition is misconceived and the same is liable



to be dismissed.

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3. In the result, The writ petition is dismissed. No costs. Consequently,
connected miscellaneous petitions are closed.

01-09-2025

rli

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Taluk Legal Services
Committee, District Munsifs Court
Buildings, Alandur, Chennai-600 016.



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M.DHANDAPANI J
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