



Writ Petition No.25348 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.25348 of 2025

1.K.R.Vellayappan
2.K.R.Athappan
3.C.Vijayalakshmi
4.K.R.Ramanathan

... Petitioners

vs.

The District Legal Service Authority,
Salem.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent to modify and amend the Lok Adalat Award No.249/2024 on the file of I Additional District Judge, Salem, dated 09.03.2024, with respect to Item II of the property as referred in Page No.15 and line number 5 regarding the description of length of the property on the side of East West direction as 50 feet instead of 100 feet and consequently, direct the respondent to issue fresh award with correct schedule of property.

For Petitioners : Mr.R.Nalliyappan

For Respondent : Ms.G.Sumithra,
Standing Counsel



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ORDER

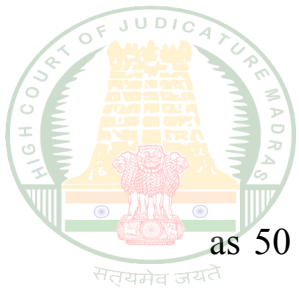
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This writ petition has been filed seeking issuance of a writ of mandamus directing the respondent to modify/amend the Lok Adalat award dated 09.03.2024 with respect to Item No.2 of the property that was allotted in favour of the first petitioner under the compromise by referring to the extent on the East-West direction as 50 feet instead of 100 feet.

2. Heard Mr.R.Nalliyappan, learned counsel for petitioners and Ms.G.Sumithra, learned Standing Counsel appearing for respondent.

3. The first petitioner filed a suit against petitioners 2 to 4 in O.S.No.225 of 2023 seeking for the relief of partition and for allotment of 1/4 share in the suit property. The subject matter in the present writ petition is described as Item No.3 in the plaint schedule. It is mentioned that the measurement of East to West is 50 feet.

4. During the pendency of the suit, the parties entered into a compromise and filed a compromise memo and the matter was referred to Lok Adalat. However, in the compromise memo, instead of mentioning



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as 50 feet, by oversight, it was mentioned as 100 feet. Hence, the same was also incorporated in the Lok Adalat award. Since the Lok Adalat award has been passed, it cannot be amended/modified by the respondent. It is under these circumstances, the present writ petition has been filed before this Court.

5. In the considered view of this Court, it is seen that mentioning the measurement of the East-West direction as 100 feet instead of 50 feet is a typographical error which has crept in the memo of compromise and as a result, it was also incorporated in the award with respect to the property that was allotted in favour of the first petitioner. This runs contrary to the measurement as shown in Item No.3 of the suit schedule. Therefore, there shall be a direction to the respondent to make necessary correction at Page No.15 and line number 5 in the description of the property by showing the measurement of the East-West direction as 50 feet instead of 100 feet. The corrected award shall be issued in favour of the petitioners after making the said correction. This process shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.



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N.ANAND VENKATESH, J

gm

This writ petition is disposed of with the above direction. No costs.

05.08.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To
The District Legal Service Authority,
Salem.

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