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W.P.No.5750 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5750 of 2019

And

W.M.P.No.6567 of 2019

B.Sunil Kumar

... Petitioner

Vs.

1.Mr.G.Venugopal

2.Mr.S.D.Manivasagam

3.Mr.Ruby Thiyagarajan

4.B.Jayaprakash

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the award dated 10.03.2012 passed by the Lok Adalat in Lok Adalat Case No.227/2012 on the file of the District Legal Service Authority by the respondent 1 to 3, quash the same and to remand back the O.S.No.99 of 2010 to the Fast Track Court No.1, Salem Court for further and expeditious proceedings.

For Petitioner : Mr.M.Sarath Kumar

For Respondents : No Appearance



W.P.No.5750 of 2019

WEB COPY

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus to call for the records of the award dated 10.03.2012 passed by the Lok Adalat in Lok Adalat Case No.227/2012 on the file of the District Legal Service Authority by the respondents 1 to 3, quash the same and to remand back the O.S.No.99 of 2010 to the Fast Track Court No.1, Salem Court for further and expeditious proceedings.

2.The learned counsel appearing for the petitioner submitted that the petitioner and the fourth respondent are brothers. Claiming partition as against the fourth respondent, the petitioner filed suit in O.S.No.99 of 2010 on the file of Fast Track Court No.1, Salem and the said suit was filed by the petitioner only at the instigation of the fourth respondent. The learned counsel further submitted that the petitioner filed HMOP No.17 of 2007 before the Sub Court, Ponneri, and the fourth respondent being the elder member of the family misguided the petitioner as if the petitioner's wife filed maintenance case and insisted the petitioner to file suit for partition, thereby the petitioner filed the suit for partition, in which the impugned Lok Adalat award was passed



W.P.No.5750 of 2019

and after the Lok Adalat award, the fourth respondent cheated the petitioner by not allotting the respective share and later the petitioner came to know that the fourth respondent started selling the properties.

3. Heard the learned counsel appearing for the petitioner. Though the names of the respondents are printed in the cause list, there is no representation for the respondents. The first respondent is the Head of Panel, District Judge (retd.), respondents 2 and 3 are the Panel Members along with first respondent. The petitioner is a signatory of the award.

4. As per Section 22-E of the Legal Services Authorities Act, 1987, every award of the permanent Lok Adalat under this Act made either on merit or in terms of a settlement agreement shall be final and binding on all the parties thereto and on persons claiming under them. When the petitioner did not dispute his signature, he cannot challenge the Lok Adalat award. The Hon'ble Apex Court has repeatedly held that the Lok Adalat award cannot be interfered. Hence the award impugned in this writ petition cannot be interfered unless the petitioner demonstrate before this Court that the award was



W.P.No.5750 of 2019

obtained by way of fraud.

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M.DHANDAPANI,J.

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5.The writ petition is dismissed. No costs. Consequently,
connected miscellaneous petition is closed.

09.09.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

The Fast Track Court No.1,
Salem Court

W.P.No.5750 of 2019

And

W.M.P.No.6567 of 2019

09.09.2025