



W.P.(MD)Nos.11350 of 2020 and 14299 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :09.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.11350 of 2020 and 14299 of 2020

and

WMP (MD) Nos.9935, 9938 9939 & 11957 of 2020

WP (MD) No.11350 of 2020

Trichy Sri Kannika Parameswari Amman Koil

Rep. by its President

Mr.T.V.Srinivasan

... Petitioner(s)

Vs.

1. The Lok Adalat,
District Legal Services Authority,
Represented by its Secretary,
Tiruchirappalli.

2. R.Lalitha

3. E.B.Rajalakshmi

4. N.Dhanalakshmi

5. B.Ethirajulu

6. B.Muthuvenkataraman

7. V.Geetha



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8. B.Vijayakumar

9. K.Renuka

10. B.Lakshminarayanan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of writ of certiorari or any other appropriate writ order or direction to call for the records of the proceeding in Lok Adalat Case No.1060 of 2017 dated 09.12.2017 on the file of the 1st respondent, and to quash the same as illegal and contrary to law.

For Petitioner :Mr.Sharath Chandran

For Respondents :Mr.Suresh Kumar Isaac Paul for R1
M/s.Mamtha
for M/s.Ajmal Associates
for R2 to R4, R7, R10

WP (MD) No.14299 of 2020

Trichy Sri Kannika Parameswari Amman Koil
Rep. by its President
Mr.T.V.Srinivasan

... Petitioner(s)

Vs.

1. The Trichy City Corporation,
Rep by its Commissioner,
58, Bharathidasan Salai, Trichy.

2. The Sub Inspector of Town Survey,
O/o.The Trichy City Municipal Corporation,



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58, Bharathidasan Salai, Trichy.

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3. The Assistant Commissioner,
Ariyamangalam Zone,
Palakkarai Main Road, Trichy.

4. R.Lalitha

5. E.B.Rajalakshmi

6. N.Dhanalakshni

7. B.Ethirajulu

8. B.Muthuvenkatraman

9. V.Geetha

10. B.Vijayakumar

11. K.Renuka

12. B.Lakshminarayanan

13. The Tahsildar,
Tiruchirappalli East Taluk,
Tiruchirappalli District.

(R13 is suo motu impleaded vide Court order
dated 05.01.2024 in WP(MD).14299/2020)

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to all for the records of the proceedings in the impugned Town Survey Field Register Extract bearing V.Va.No. 1758/2018 and dt 14.5.2018 on the file of the 2nd respondent and to quash the same as illegal and without jurisdiction



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and to consequently direct the 2nd respondent to restore the entries in the Town Survey Field Register, Trichy Town Survey no. 18, Ward No. F, Block no. 13 to the name of the petitioner.

For Petitioner :Mr.Sharath Chandran

For Respondents :Mr.B.Ramanathan
Addl. Government Pleader for R2 & R13
Mr.R.Baskar
for M/s.R.B.Law Associates for R1 & R3
M/s.Mamtha
for M/s.Ajmal Associates
for R4 to R6

COMMON ORDER

These writ petitions have been filed challenging the impugned order dated 09.12.2017 of the first respondent in W.P.(MD) No.11350 of 2020 and the TSLR extract dated 14.05.2018 of the second respondent in W.P.(MD) No.14299 of 2020, seeking to restore the entries in the TSLR of Survey No.18, Ward No. F, Block No.13, in the name of the petitioner committee.

2. The facts in a nutshell according to the petitioner are as follows:

2.1 The petitioner, represented by its President, submits that the property in Survey No.107/1 (Old No.10A) in Devadanam Village, Trichy District (hereinafter referred to as 'the subject property'), belongs



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to the petitioner committee, with a patta issued in its name under Section 6 of the Patta Pass Book Act, which constitutes *prima facie* evidence of title. Respondents 2 to 10, claiming to be heirs of one Baskara Chettiar, wrongfully alleged that the property belonged to the Nandavanam Trust and instituted O.S. 563 of 2012 without naming the petitioner, indulging in vexatious litigation to wrongfully dispossess the petitioner.

2.2. The respondents 2 to 10 colluded to file a fraudulent partition suit through the second respondent, resulting in the recording of a compromise by the first respondent in Lok Adalat on 09.12.2017. This compromise was secured without disclosing the pendency of O.S.563 of 2012 or the lack of any pre-existing right of respondents 2 to 10 and was followed by mutation of the patta in their favor, constituting gross abuse of process and a calculated attempt to defraud the petitioner.

2.3. Thereafter, entries in the TSLR extracts were made pursuant to the Lok Adalat award, which led the petitioner committee to file W.P. (MD) No.14299 of 2020 challenging the same.

3. Accordingly, the petitioner submits that the impugned Lok Adalat award is vitiated by collusion, suppression of material facts and



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fraud. The compromise recorded in the award cannot create any legal title in favor of respondents 2 to 10 and the award is legally unsustainable. The petitioner, therefore, prays that the award be quashed and consequential reliefs granted to restore its rights over the property.

4. This Court, on 10.09.2020, had granted an interim stay on the operation of the Lok Adalat award pending disposal of these writ petitions.

5. Heard the learned counsel for the parties and perused the materials available on record.

6. The facts of the case reveal that the subject property, measuring an extent of 15,472.5 sq.ft., is situated in Devadanam Village, Trichy District. In respect of the said land, a suit in O.S.No.998 of 2017 was filed before the I Additional District Munsif, Trichy, by the second respondent in W.P.(MD) No.11350 of 2020, arraying respondents 3 to 10 as defendants. The petitioner herein was not made a party to the said suit, and this fact is not in dispute. It is also seen that for the very same property, another suit in O.S.No.563 of 2012 was filed before the District Munsif Court, Trichy, seeking a declaration regarding succession to the



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office of the Nandavanam Trust by hereditary trusteeship. Significantly, none of respondents 2 to 10 in W.P.(MD) No.11350 of 2020 were parties to the suit in O.S.No.563 of 2012.

7. It is further brought to the notice of this Court that apart from the subject property, several other issues are also the subject matter of dispute in between the members of the petitioner committee. Though both suits involve the subject property, the claims regarding other issues are not germane for adjudication of these writ petitions.

8. It is also admitted by the learned Additional Government Pleader that the patta for the subject property originally stood in the name of the petitioner committee.

9. During the pendency of the civil proceedings in O.S.No.998 of 2017, the parties to the said suit, namely respondents 2 to 10 in W.P. (MD) No.11350 of 2020, approached the Lok Adalat and entered into a settlement. Based on the settlement and understanding, the subject property was settled in favour of respondents 2 to 10.



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10. Pursuant to the said Lok Adalat award, changes were effected in the revenue records, which came to be challenged in WP(MD) No. 14299 of 2020.

11. Once it is not in dispute that patta for the subject property originally stood in the name of the petitioner committee, it is unclear as to how the Lok Adalat could have settled the matter exclusively in favour of respondents 2 to 10 based solely on their compromise and the petitioner not being a party to it. It *prima facie* appears that there is a collusion among the respondents 2 to 10 in respect of the subject property.

12. When the patta stood in the name of the petitioner committee, no changes could have been effected in the revenue records without issuing notice to the petitioner and conducting a proper inquiry. A compromise before the Lok Adalat, by itself, cannot form the basis for mutation of patta, especially when the rightful patta-holder was not a party to the suit or to the settlement.

13. As already discussed above, the changes effected in the revenue records, by mutating the name of the respondents 2 to 10, are



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improper and illegal. Accordingly, the impugned proceedings dated 14.05.2018 is liable to be set aside and are hereby set aside.

14. Consequently, the Lok Adalat award passed on 09.12.2017 insofar as it relates to the subject property belonging to the petitioner committee, is also set aside, mainly on the ground that the patta undisputedly stood in the name of the petitioner committee. Since the Committee and respondents 2 to 10 assert rival claims of ownership, such disputes can be adjudicated only before the competent civil court.

15. In the result, these writ petitions are allowed with the above directions and observations. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(K.SURENDER, J)
09.12.2025

NCC :Yes/No
Internet :Yes/No
Index :Yes/No
PKN



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To

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1. The National Highways Authority of India,
(Union Ministry of Road
Transport and Highways),
No.395/3-1, Ms Road,
Majestic Colony,
Near to Ayyappan Kovil,
Parvathypuram,
Nagercoil – 629003, Kanyakumari.
2. The National Highways Authority of India,
(Union Ministry of Road
Transport and Highways),
Madurai PD Office,
Nhai, Surya Towers, 2nd Floor,
East Street,
Kk Nagar, Madurai.
3. The Commissioner,
Department of Land Administration,
2nd Floor, Ezhilagam,
Chepauk,
Chennai - 600 005.
4. The National Highways Authority (Head Office),
(Union Ministry of
Road Transport and Highways),
Plot No.G-5 and 6, Dabri - Gurgaon Road,
Dwaraka Sector - 10,
Delhi - 100 075.
5. The District Collector,
Virudhunagar District,
Virudhunagar.
6. The Competent Authority Cum,
Special District Revenue Officer (Land
Acquisition),
Land Acquisition For NH No.744,



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Virudhunagar District,
Virudhunagar.

7. The Special Tahsildar (Land Acquisition),
Land Acquisition For NH No.744,
Srivilliputhur,
Virudhunagar District.



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