



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 11355 of 2022

AND

WMP NO. 10890 OF 2022, WMP NO. 10891 OF 2022, WMP NO. 9308 OF 2022, WMP NO. 9306 OF 2022, WMP NO. 9307 OF 2022, WP NO. 9574 OF 2022

T.Suresh Kumar,
S/o. Tejaram Chaudri,
No. 50, Nanneri Kazhagam Street,
No. 1 (Devanga High School Road)
Coimbatore 641 001.

Petitioner
in W.P.No.11355 of 2022

Vs

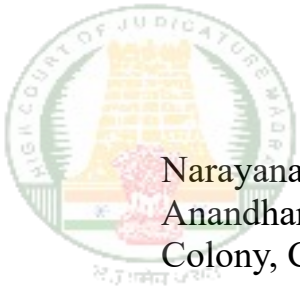
1.The Chairman Permanent Lok Adalat,
Coimbatore District Legal Services Authority,
Coimbatore 641 018.

2.The Joint Sub-Registrar,
Coimbatore 1, Coimbatore.

3.G.Gandhimathi,
W/o. Govindaraju,
8A, Bharathi Nagar, GN Mills Post,
Coimbatore 641 029.

Respondents
in W.P.No.11355 of 2022

1. A.Bala Prasath@Rahul,
S/o. Late Anandha Srinivasan,



Narayana Guru Road, A4, Shree
Anandham Apartments, Saibaba
Colony, Coimbatore 641 011.

2.Kiruba Anandasrinivasan,
W/o. Late. Anandha Srinivasan,
Narayana Guru Road, A4, Shree
Anandham Apartments, Saibaba
Colony, Coimbatore 641 011.

Petitioners
in WP No. 9574 of 2022

Vs

1. The Presiding Officer,
Permanent Lok Adalat, District Court
Complex, Coimbatore.

2.The Revenue Divisional Officer,
Coimbatore District, Coimbatore.

3.The Tahsildar,
Coimbatore District, Coimbatore.

4.The Commissioner of Police,
Commissioners Office, Hosur Road,
Coimbatore 641 018.

5.The Assistant Executive Engineer
R.S.Puram, North, TANGEDCO
No. 156, Alagesan Road, Saibaba
Colony, Coimbatore.

6.The Assistant Commissioner,
Registration Department,
District Collectorate Building,
Coimbatore.

7.The Sub Registrar I,
District collectorate Building,
Coimbatore.

8.The Income Tax Officer,
PRCCIT TN and Puducherry Income



Tax Department, Aayakar Bhawan,
121, MG Road, Nungambakkam,
Chennai 34.

9.The Assistant Commissioner,
Revenue Department Building,
Non Corp Circle -I, Coimbatore

10.G.Gandhimathy,
W/o. Govindharaju,
80A, Bharathi Nagar,
G.N.Mill Post Coimbatore.

11.Jothivel,
S/o. Ayyasamy,
D.No. 86/1, Ganesh Nagar, 1st Street,
G.N.Mill post, Coimbatore 641 029.

12.Sugumaran,
S/o. Baboo, 98, Venkata Krishna Road,
RS Puram, Coimbatore South,
Coimbatore 641 002.

13.Saroja,
W/o. Logashanmugham,
1/9, Anganna Street,
Narasimanayakan Palayam,
Coimbatore 641 031.

14.Arjunan,
Hotel Anandha Bhavan,
1089, Mettupalayam Main Road,
R.S.Puram, Vadakovai, Coimbatore.

15.Sathish,
Hotel Anandha Bhavan,
1089, Mettupalayam Main Road,
R.S.Puram, Vadakovai, Coimbatore.

16.Nandhakumar,
Jeyabharath Agency,
1088, Mettupalayam Main Road,
R.S.Puram, Vadakovai, Coimbatore

17.Vishnuram
Hotel Anandha Bhavan, 1089,



Mettupalayam Main Road, R.S.Puram,
Vadakovai, Coimbatore

Respondent(s)

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PRAYER in WP No. 11355 of 2022:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorari, calling for the records of the 1st Respondent made in PLA No. 18 of 2021 dated 18.11.2021 and quash the same in so far as against the petitioner.

PRAYER in WP No. 9574 of 2022:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorari, calling for the records of the order of the 1st respondent in PLA. No. 8/2021 , PLA No. 18/2021 , PLA. No. 23/2021 , PLA . No. 24/2021 , PLA . No. 25/2021 and PLA . No. 26/2021 dated 18.11.2021 passed in Permanent Lok Adalat Court , Coimbatore and quash the same.

WP No. 11355 of 2022

For Petitioner: Mr.P.Saravanan Sowmiyan

For Respondent(s): Mr.E.V.Chandru For R1

Ms.K.Aswini Devi
Additional Government Pleader
For R2

WP No. 9574 of 2022

For Petitioner: Mr.M.S.Krishnan,
Senior Counsel
Assisted by
Mr.Sam Jayaraj Houston

For Respondent(s): Mr.E.V.Chandru For R1
Ms.K.Aswini Devi
Additional Government Pleader
For R2, R3, R6, R7 & R9



Mr.R.Venkatesa Perumal
Government Advocate (Crl.
Side)
For R4

Mr.L.Jai Venkatesh
Standing Counsel For R5

Dr.B.Ramamswamy
Senior Standing Counsel For R8

No Appearance For R10 to R13

COMMON ORDER

Challenging the impugned order dated 18.11.2021 passed by the Legal Service Authority, the 1st respondent herein, these writ petitions are filed.

2. The brief facts of the case are as follows:-

2.1. Originally the petition mentioned properties belong to one Kaliasammal, who purchased the same by virtue of the sale deed dated 07.06.1934. The said Kaliasammal had two children namely Ramakkal and Ayyavoo. Since the said Ayyavoo died issue-less, the entire properties devolved upon Ramakkal and after the demises of Ramakkal, the properties were devolved on her four children namely Ayyasamy, Palaniasammal, Mani and Bakkiam. Since there was dispute among the children of said Ramakkal, they filed suit in O.S.No.625 of 1989 on the file of the Principle Sub court, Coimbatore, by placing reliance on two Wills dated 29.05.1963 and 19.12.1967 alleged to have executed by the late Kaliasammal bequeathing equal share in the



petition mentioned properties to the male legal heirs. The Sub-Judge, Coimbatore, vide judgment dated 27.06.2001, disbelieved both the Wills and granted 1/4th share to each of the parties to the lis. Accordingly the said Ayyasamy, Palaniammal, Mani and Bakkiam entitled for 1/4th share in the petition mentioned properties.

2.2. Thereafter, the aforesaid Mani, Bakkiyam and the legal heirs of Palaniammal sold their shares to the 1st petitioner's/A.Bala Prasath @ Rahul's father, uncle and his grand mother respectively and therefore, 3/4th share of the petition mentioned properties were owned by the 1st petitioner's family members. Since the petitioner's uncle died issue-less, 1/4th share purchased by him from the said Bakkiyam devolved to the 1st petitioner's grandmother, which was later settled in favour of the 1st petitioner's father by his grandmother and now after the death of the 1st petitioner's father, the entire 3/4th share of the petition mentioned properties devolved upon the 1st petitioner and his mother, the 2nd petitioner in W.P.No.9574 of 2022. The another 1/4th share of the petition mentioned properties was sold by Ayyasamy to one Veerappan by virtue of the decree made in O.S.No.134 of 2007 and from the said Veerappan, the said share was purchased by the petitioner in W.P.No.11355 of 2022.

2.3. While so, the respondents 10 and 11 in W.P.No.9574 of 2022, who are the legal heirs of Ayyasamy filed suit in O.S.No.807 of 2018 and O.S.No.691 of 2019 on the file of the District Munsif Court, Coimbatore seeking to declare the



Will dated 29.05.1963 as Valid and to declare the Will dated 19.02.1967 as Void.

These two Wills alleged to have executed by the late Kaliammal was already disbelieved in the earlier suit in O.S.No.625 of 1989 filed by the legal heirs of Ramakkal. Furthermore, they have also filed a suit in O.S.No.573 of 2012 on the Additional Subordinate Court seeking to set aside the decree passed in O.S.No.134 of 2007, under which the vendor of the petitioner in W.P.No.11355 of 2022 purchased the 1/4th share from Ayyasamy and the same is pending. Suppressing all the aforesaid transactions and the fact that the issue regarding the two Wills has already been decided, the respondents 10 and 11 obtained a collusive decree amongst their family members and the 10th respondent has chosen to file applications before the 1st respondent herein seeking for following reliefs:-

PLA.No.8/2021: To change two electricity connection in Door No.1087 in the name of the 2nd respondent therein;

PLA.No.18/2021: to change water tax, electricity connection and municipality tax in her name alleging that the document executed in the name of her late father are forged and executed without her knowledge;

PLA.No.23/2021: to direct the Income Tax Officials to repay the rents with interest received by them;

PLA.No.24 /2021: to direct the Income Tax officials to pay her share in the rental income;

PLA.No.25/2021: seeking for direction to take action against the tenants who



have defaulted in payment of rents and for eviction of tenants and PLA.No.26/2021: seeking for a direction to evict Ananda Bhavan Hotels and for payment of arrears of rental income.

2.4. After adjudicating the aforesaid applications, the 1st respondent vide order dated 18.11.2021 has directed to remove the electricity connections in the name of the tenants in the petition mentioned properties and directed the tenants to abide by the actions of the 10th respondent. The 1st respondent has also directed the Registration Officials to remove the entries pertaining to the sale deeds and settlement deeds standing in the name of the petitioners herein and to incorporate the entries pertaining to the registered documents in the name of the 10th respondent. Challenging the same, the present writ petitions are filed.

3. Mr.M.S.Krishnan, learned Senior Counsel assisted by Mr.Sam Jayaraj Houston, learned counsel for the petitioners in W.P.No.9574 of 2022 would submit that the 1st respondent lacks jurisdiction to entertain the claim of the 10th respondent. The 1st respondent is only empowered to act on the basis of the complaint to adjudicate the claims which involves public utility services as per Section 22-B of the Legal Services Authorities Act, 1987. The 1st respondent cannot decide the validity of the registered document to delete the entries in the register since the same is within the domain of the Civil Court. Further, as per Section 22C of the Legal Services Authorities Act, 1987 the parties before going to the Court can make an application before the Authority and the dispute



should be within the pecuniary jurisdiction. Therefore, the 1st respondent has no jurisdiction to entertain the application if there is a pendency of the civil dispute before the competent Civil Court. Furthermore, the 1st respondent has decided the issue without affording any opportunity to the parties to settle the issue which is against the provisions of the Legal Services Authorities Act, 1987. Hence, he prayed to quash the impugned order dated 18.11.2021.

4. Per contra, learned counsel appearing for the 1st respondent would submit that the 1st respondent is the permanent officer and as per Section 22-B of the Legal Service Authorities Act, 1987, he has power to adjudicate the electricity dispute which is the public utility services.

5. Though service completed to the private respondents 10 to 13 and the learned counsel has entered appearance, none appeared on behalf of the respondents 10 to 13. As far as the Income Tax Department is concerned, learned Senior Standing counsel appearing for the 8th respondent defended the argument.

6. Heard Mr.M.S.Krishnan, learned Senior Counsel assisted by Mr.Sam Jayaraj Houston, learned counsel for the petitioners in W.P.No.9574 of 2022 and the learned counsel for the petitioner in W.P.No.11355 of 2022; learned counsel appearing for the 1st respondent in both writ petitions and the Additional Government Pleader appearing for the official respondents 2, 3, 6, 7 & 9 and the



learned Senior Standing Counsel appearing for the 8th respondent/Income Tax Department in W.P.No.9574 of 2022.

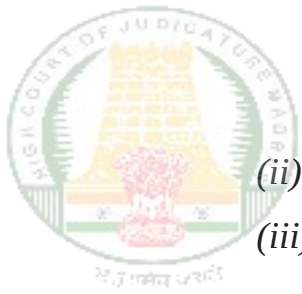
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7. Upon hearing and perusal of the records, it is evident that the 10th respondent in W.P.No.9574 of 2022 has filed the applications before the Legal Service Authority/the 1st respondent addressing her grievances. When the application is made before the 1st respondent, the 1st respondent ought to try for an amicable settlement between the parties. In case, there is no chance for an amicable settlement, the matter has to be referred to the Courts of law. On the other hand, if any legal assistance is required, the same has to be provided to the parties. Ignoring all these aspect, in the present case, the 1st respondent acted as Permanent Officer and as if he is having the adjudicating power, he has adjudicated the matter and passed the order impugned herein, without even providing any opportunity to the petitioners.

8. No doubt the 1st respondent, the Legal Service Authority is the permanent Lok Adalat of the District of Coimbatore and the complaint of the 10th respondent regarding the electricity service connection is a public utility service. Section 22A(b) of Legal Service Authorities Act, 1987 clearly defines “public utility service”. For better appreciation, the extract is herein under,

22A(b) “public utility service” means any—

(i) transport service for the carriage of passengers or goods by air,
road or water; or



- (ii) postal, telegraph or telephone service; or*
- (iii) supply of power, light or water to the public by any establishment; or*
- (iv) system of public conservancy or sanitation; or*
- (v) service in hospital or dispensary; or*
- (vi) insurance service,*

and includes any service which the Central Government or the State Government, as the case may be, in the public interest, by notification, declare to be a public utility service for the purposes of this Chapter.

From perusal of the above provision, it is clear that the electricity dispute is a part of public utility service, and it is well within the scope and jurisdiction of Permanent Lok Adalat to adjudicate matters in regard to it. In such case, the 1st respondent can resolve the electricity dispute alone after providing an opportunity to the parties concerned. However, the 1st respondent had proceeded to deal with the other dispute, that is the title dispute which is beyond the scope of the 1st respondent as per Section 22A(b) of the Legal Services Authorities Act, 1987. The 1st respondent cannot deal with the title dispute and he can only refer the matter to the Civil Court. Certainly, the 1st respondent has gone beyond its scope and passed the impugned order, which is not sustainable in law and the same is liable to be quashed. Accordingly, the impugned order dated 18.11.2021 is hereby quashed.



9. It is brought to the knowledge of this Court that the suit in O.S.No.247 of 2020 filed by the petitioner's father seeking to set aside the judgment and decree made in O.S.No.804 of 2018 and O.S.No.691 of 2019 is pending before the V Additional District Court, Coimbatore. There is no prohibition to proceed with the pending suit.

10. In view of the above, these writ petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

25-03-2026
(1/2)

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

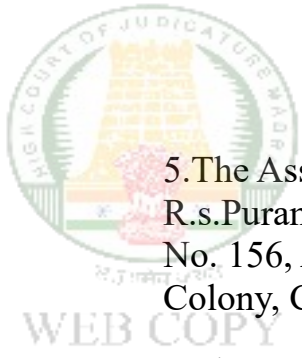
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