

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 33489 OF 2014

Between:

Uppu Sarojana, S/o: Srinivas, aged about 38 year, Occu.Household,
R/o.C/o.Bandari or Konduri Odamma, Julapalli of R/M.Kamanpur, Sri
Ramnagar Colony of Julapalli, Manthani, Karimnagar District.

...PETITIONER

AND

1. The Lok Adalat At Manthani, Karimnagar District, Telangana State
Represented by its Secretary
2. Uppu Srinivas, S/o: Papaiah, aged about 40 years, Occ: SCCL Employee
working at OCP-II, R/o Maruthinagar, Kalwacherla, V/o Kamanpur Mahdal.,
Karimnagar District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or order or direction more particularly in the nature Of Writ of Mandamus to declare passing of the orders in Pre-litigation Case No.12 of 2006 as illegal, arbitrary, without jurisdiction and infringement of Article 14 of the Constitution of India and also violation of Sec 13-B of Hindu Marriage Act and consequently set aside the Orders passed in Pre-litigation Case No.12 of 2006, dated- 04-04-2006 on the file of Before The Lok Adalat, Chairman cum Senior Civil Judge, Manthani, Karimnagar District.

I.A. NO: 1 OF 2014(WPMP. NO: 41861 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the orders passed in Pre-litigation Case No. 12 of 2006, dated 04-04-2006 on the file of Before The Lok Adalat, Chairman cum Senior Civil Judge, Manthani, Karimnagar District.

**Counsel for the Petitioner: SRI D. SUBRAMANYAM YADAV, REPRESENTING
FOR SRI Y. BALAJI**

Counsel for the Respondent No.2: SRI K. VASUDEVA REDDY

Counsel for the Respondent No.1:----

The Court made the following: ORDER

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J.SREENIVAS RAO**

WRIT PETITION NO. 33489 OF 2014

ORDER: *(per the Hon'ble Sri Justice J.Sreenivas Rao)*

This writ petition is filed by the petitioner questioning the Award dated 04.04.2006 passed by the Lok Adalath at Manthani in Pre-litigation Case No.12 of 2006.

2. Heard Sri D.Subramanyam Yadav, representing, Sri Y.Balaji, learned counsel for the petitioner and Sri K.Vasudeva Reddy, learned counsel appearing on behalf of respondent No.2.

3. Learned counsel for the petitioner submits that the respondent No.2 had obtained the impugned Award from the Lok Adalath, Manthani, without the consent of petitioner and Lok Adalath, Manthani, is not having jurisdiction to grant decree of divorce.

4. *Per contra*, learned counsel appearing on behalf of respondent No.2 submits that the petitioner as well as respondent No.2 filed joint application and the same was numbered as Pre-litigation Case No.12 of 2006 and Lok Adalath, Manthani passed the Award. Pursuant to the said Award, respondent No.2 paid an amount of Rs.4,50,000/- to the petitioner towards permanent

alimony and future maintenance and the same was received and accepted by her. After passing the impugned Award, petitioner as well as respondent No.2 are living separately and they performed re-marriages as per their choices. By virtue of the subsequent development, the cause in the writ petition does not survive.

5. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner as well as respondent No.2 have filed joint application and the same was numbered as Pre-litigation Case No.12 of 2006 on the file of the Chairman, Mandal Legal Services Authority at Manthani and on referral of the said case, Lok Adalath, Manthani passed Award on 04.04.2006. It appears from the application filed in Pre-litigation Case No.12 of 2006 that respondent No.2 had paid an amount of Rs.4,50,000/- to the petitioner towards permanent alimony and future maintenance through Demand Draft No.960613 drawn on State Bank of Hyderabad, C.N.Colony payable at Manthani Branch, dated 31.03.2006. Hence, contention of the learned counsel for the petitioner that Lok Adalath passed the impugned Award behind the back of the petitioner is not tenable under law.

6. In view of the submissions made by the learned counsel for respondent No.2 that after passing the impugned Award by the

Lok Adalath, Manthani, the petitioner as well as respondent No.2 performed re-marriages as per their choice and living happily. Hence, this Court is of the considered view that there are no grounds to interfere with the impugned Award passed by the Lok Adalath, Manthani in Pre-litigation Case No.12 of 2006 dated 04.04.2006, to exercise the jurisdiction under Article 226 of the Constitution of India.

7. Accordingly, the Writ Petition is dismissed. No order as to costs.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

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SD/- MOHD. ISMAIL
ASSISTANT REGISTRAR

SECTION OFFICER

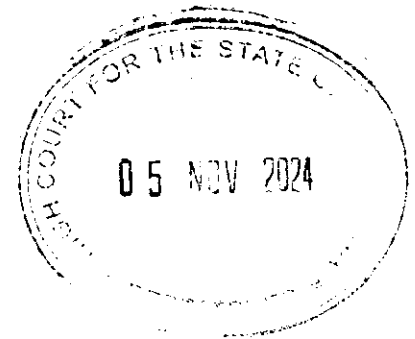
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1. One CC to Sri Y. Balaji, Advocate [OPUC]
 2. One CC to Sri K. Vasudeva Reddy, Advocate [OPUC]
 3. Two CD Copies

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HIGH COURT

DATED:16/10/2024



ORDER

WP.No.33489 of 2014

DISMISSING THE WRIT PETITION

WITHOUT COSTS

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28/10/24