

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.2750 of 2014

and

M.P.No.1 of 2014

1.Periya Muthusamy (died)

2.Arukkathal

3.Moorthy

4.Gopal

5.Rukumani

6.Muthulakshmi

7.S.Rajeswari

8.S.Jayalakshmi

9.V.Sarojini

10.M.Saritha

(Petitioners 6 to 10 are substituted
as LR's of deceased first petitioner, vide
order dated 14.9.2016 in WMP No.27399 of 2016)

.. Petitioners

Vs.

1.The Settlement Tahsildar-II,
Gobichettipalayam,
now represented by
the Assistant Settlement Officer,
(South) and the Additional Personal Assistant
to the Director of Survey and Settlement,
Chepauk,
Chennai-600 005.

2.The Executive Officer,
Angalamman Temple,
Muthanampalayam,
Tiruppur Taluk and District.

3.The Tahsildar,
Tiruppur South Taluk, Tiruppur,
Tiruppur District.

.. Respondents

This writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the third respondent to change over the patta in the petitioner's name, insofar as it relates to S.No.467/3, Muthanampalayam village, Tiruppur Taluk and District, to the extent of 5.34 acres of land, by disposing of the written representation made by the petitioner, on 2.1.2014, on merits.

For Petitioners : Mr.C.Prakasam

For Respondents : Mr.V.Jayaprakash Narayanan, Spl.G.P
for R-1 and R-3
Mr.M.R.Jothimanian for R-2

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ORDER

This writ petition has come up for hearing, on 14.09.2016, and had been disposed of on the said date, along with W.P.No.22743 of 2013. But, before the order could be typed and signed, the matter has been directed to be listed for some clarification. Accordingly, the matter is listed today, for clarification.

2 This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, directing the third respondent to change patta in the name of the petitioners, insofar as it relates to S.No.467/3, Muthanampalayam village, Tiruppur Taluk and District, to an extent of 5.34 acres of land, by disposing the representation of the petitioner, dated 2.1.2014, on merits.

3 At this stage of the hearing of the writ petition, it has been stated by the learned counsel appearing on behalf of the second respondent that a civil suit had been filed before the Sub Court, Tiruppur, by the the Executive Officer, Arulmigu Angalamman Temple, Muthanampalayam, Tiruppur Taluk, in O.S.No.15 of 2015, relating to the property in question, which is pending disposal.

4 The said submission made by the learned counsel appearing on behalf of the second respondent had not been refuted by the learned counsel appearing on behalf of the petitioners.

5 In such circumstances, this Court finds it appropriate to close the present writ petition, permitting the petitioners herein to pursue their remedies, if any, before the said Sub Court, Tiruppur, in the manner known to law. Accordingly, the writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

19.09.2016

Index : Yes/No

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To

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Tiruppur Taluk and District.
- 3.The Tahsildar,
Tiruppur South Taluk, Tiruppur,
Tiruppur District.

M.JAICHANDREN, J.

vvk

W.P.No.2750 of 2014

19.09.2016