



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P (MD) .No.9099 of 2013 and
M.P (MD) .No.1 of 2013

V. Ramamoorthy ... Petitioner

Vs.

1. State of Tamil Nadu,
Rep. By its the Home Secretary to Government,
St. George Fort,
Chennai-09

2. The District Collector,
Madurai.

3. The Revenue Divisional Officer,
Usilampatti,
Madurai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the impugned order passed by the third respondent in Roc.No.3546/2013 dated 24.05.2013, and quash the same.

For Petitioner	... Mr. K.K. Ramakrishnan
For respondent	... Mr. K.P. Krishnadass Government Advocate

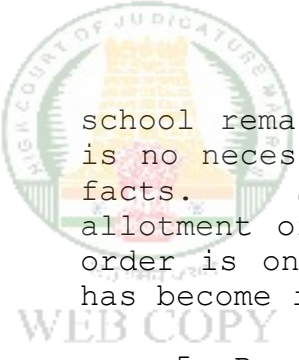
ORDER

This Writ Petition is filed praying to call for the records pertaining to the impugned order passed by the third respondent in Roc.No.3546/2013 dated 24.05.2013, and quash the same.

2. The petitioner is the President of Vidathakulam Village Panchayat, Thirumangalam Taluk, Madurai. There is a Government Middle School located in S.F.No.15/1 and it has been upgraded as High School. The adjacent land situated in S.F.No.15/8.59 was assigned to the school, for the purpose of playground, by virtue of Panchayat resolution, based on the request of the school authorities. However, the second respondent was trying to assign Patta in favour of other person with malafide intention, even though there are other lands available for allotment. Since there was a dispute with regard to the said property, between the beneficiaries of the village people, the prohibitory order was passed by the third respondent and the said order is being challenged before this Court.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

4. It is submitted by the learned counsel appearing for the petitioner that the second respondent subsequently allotted some other lands to the beneficiaries and the adjacent land to be used for the



school remains intact and is being used by the school. Therefore, there is no necessity for this Court to go into issue, except record the above facts. Since the issue regarding the land was already solved by allotment of appropriate lands to the beneficiaries and also prohibitory order is only for a limited period of 60 days. Hence, the Writ Petition has become infructuous.

5. Recording the above said facts, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Home Secretary to Government,
State of Tamil Nadu,
St. George Fort, Chennai-09
2. The District Collector, Madurai.
3. The Revenue Divisional Officer,
Usilampatti,
Madurai District.

Trp

SH/PM-MP:15.02.2016:2P/4C

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