

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
And
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.737 of 2013

- 1.A.A.Wahab
- 2.S.Mohamed Ali
- 3.Ayisha Bibi
- 4.Jameela Bibi
- 5.Sahul Hameed
- 6.Fathima Bibi
- 7.A.Abdul rahman
- 8.Sirajunnisa
- 9.Hawabibi
- 10.Sowkath Ali
- 11.Abubakar
- 12.Kamaludeen
- 13.Fathima
- 14.Sabiabibi
- 15.Ameena Bibi
- 16.Noorinissa
- 17.Jareenabibi
- 18.Sarbunnisa
- 19.A.Jaburullah
- 20.A.Abdulgani
- 21.Ajaramma

- 22.Abidha
- 23.Maimum Bibi

... Appellants/Petitioners

सत्यमेव जयते
Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Law and Revenue,
Fort St.George,
Chennai - 600 009.

- 2.The District Collector,
Tiruppur.

3.The Thasildhar,
Taluk Office,
Tiruppur.

... Respondents/Respondents

Prayer:

Writ appeal filed under Clause 15 of Letters Patent praying to set aside the order passed by the Single Judge in W.P.No.382 of 2012 dated 19.04.2012.

W.P.No.382 of 2012:- Writ Petition filed under Article 226 of the constitution of India praying to call for the records of the 3rd respondent in O.M. RTR.2839/2010/E1 dt 20.12.2010 to quash the same as illegal and direct the 3rd respondent to retransfer and enter the names of petitioners in the Revenue Records and consequently issue patta in favour of the petitioners 1 to 23 after making sub division among petitioners issue separate patta for the co-owners jointly for the house site 2880 sq.ft. in T.S. 443/5 as per Ward H. Block 4/T.S. No.10 at Noyyal Street Tiruppur.

For Appellants : Mr.S.Sivanandam
For Respondents : Ms.A.Srijayanthi
Special Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN,J.)

After arguing the writ appeal at length, when it was pointed out that there is an appellate remedy available to the appellants, the learned counsel made an endorsement indicating that he is withdrawing the writ appeal with liberty to file statutory appeal before the Appellate Authority.

2.We therefore permit the appellants to withdraw the intra court appeal with liberty to file appeal before the appropriate Appellate Authority. The appellants are given time till 27.11.2017 for filing appeal. In case, the statutory appeal is filed on or before 27.11.2017, the same shall be taken up by the Appellate Authority and it shall be decided on merits and in accordance with law.

3.We also make it clear that the appeal should be disposed of purely on merits and un-influenced by any of the observations made by the learned Single Judge in the order impugned in this writ appeal.

4.The intra court appeal is dismissed as withdrawn. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Department of Law and Revenue,
Fort St.George,
Chennai - 600 009.
2. The District Collector,
Tiruppur.
3. The Thasildhar,
Taluk Office,
Tiruppur.

+1cc to Mr.S.Sivanandan, Advocate Sr. 75514
+1cc to the Government Pleader Sr. 76243

सत्यमेव जयते

W.A.No.737 of 2013

AR(V)
VR(31/10/2017)

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