

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2017

CORAM :

THE HONOURABLE JUSTICE MR.S.VAIDYANATHAN

Writ Petition No. 4678 of 2004

Thirumangalam Pandiyakula Kshatriya
Nadargal Uravinmurai Executive
Committee, a society registered under
the Tamilnadu Societies Registration Act
bearing, Reg.No.94/1979 Thirumangalam
as represented by its Present Secretary
K.P.R.Periyasamy, Son of K.P.Rathinasamy
S/o. K.P.Rathinasamy Nadar, 6/69-A, Karpaga Nagar,
Thirumangalam - 625 706.
(cause title of the petitioner amended as per
order dated 03.08.2017 in W.M.P.No.54 of 2012)

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Madurai.
2. The Revenue Divisional Officer,
Usilampatti.
3. The Tahsildar,
Thirumangalam.
4. The Assistant Commissioner,
H.R. & C.E., K.K.Nagar,
Madurai.
5. The Idol of Arulmighu Kattu
Bhadrakali Amman Thirukkivil
Venkatasamudram, Thirumangalam Taluk,
rep. by its Hereditary Trustees
(i) Muthiah,
(ii) Karuppaayee Ammal
(iii) Irulayee Ammal
(iv) Vellaichami
(v) Sundara Pandaram.
6. The Executive Officer,
A/M Dhandayuthapaniswami Temple,
Nethaji Road, Madurai - 625 001.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of respondents 1 to 4 in connection with the proceedings of the first respondent in ROC.No.66588/2002/J2 and to quash the order dated 11.08.2003 made therein and consequently to direct the respondents to forbear from interfering with the petitioner's peaceful possession and enjoyment of the lands measuring 1 acre 10 cents in Survey Nos.295/1A2A and 295/1A2B and 1 acre 44 cents in Survey No.295/1C2, Vadakarai Village, Thirumangalam Taluk, Madurai District.

For Petitioner : Mr.T.M.Hariharan
For R1 to R3 : Mr.Akhil Akbar Ali
Government Advocate

For R4 & R5 : M.Maharaja
Special Government Pleader
for H.R. & C.E.

For R6 : Mr.P.Gopalan

O R D E R

When the matter is taken up for hearing, it is represented by the learned counsel for the respondents that the impugned order, which is the subject matter of the present writ petition, was interfered with and set aside on 16.09.2003 in W.P.No.25700 of 2003, in which, this Court remanded the matters, subsequent to which, fresh orders have been passed by the District Collector, Madurai on 27.02.2004. According to the learned counsel for the petitioner, the petitioner is not aware of the said writ petition mentioned by the learned counsel for the respondents and a copy of the said proceedings dated 27.02.2004, had also not been served on him, and that he has received a photocopy of the original proceedings, dated 27.02.2004, by means of typed set of papers, dated 25.08.2014, which was served by the learned counsel for the sixth respondent to the learned counsel for the petitioner. Learned counsel for the sixth respondent fairly submitted that the said typed set of papers was handed over to Mr.Hariharan, learned counsel for the petitioner only on 26.07.2017. In view of the subsequently developments, no further adjudication is required in the present Writ Petition. If the petitioner is aggrieved by the said proceedings of the District Collector dated 27.02.2004, it is open to the petitioner to challenge the said proceedings in accordance with law by enclosing a copy of the said proceedings dated 27.02.2004 and seeking dispensing with the original proceedings dated 27.02.2004. The period of pendency of this Writ Petition shall be excluded for the purpose of calculating the limitation. It is open for all the parties to the

proceedings in this writ petition to take appropriate defence, if the said proceedings dated 27.02.2004 is challenged. The Writ Petition is disposed of with the above observations. No costs.

Sd/-
Deputy Registrar

/true copy/

Sub Asst. Registrar

msm

To

1. The District Collector,
Collectorate,
Madurai.
 2. The Revenue Divisional Officer,
Usilampatti.
 3. The Tahsildar,
Thirumangalam.
 4. The Assistant Commissioner,
H.R. & C.E., K.K.Nagar,
Madurai.
- + 1 cc to Mr.T.M.Hariharan, Advocate, SR.61854
+ 1 cc to M/s.P.Gopalan, Advocate, SR.60973
+ 1 cc to The Govt.Pleader, SR.61966

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SSI (CO)
NR 25/09/2017

सत्यमेव जयते

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