

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.11391 of 2004
and
W.P.M.P.No.13416 of 2004

1.Tmt.Rukkammal @ Rukmani Ammal
2.T.R.Gunasekaran
3.T.R.Bakthavatchalam
4.T.N.Chellappa Mudaliar
5.C.Elumalai Petitioners

Vs.

1. The District Revenue Officer,
Tiruvallur.
2. Revenue Divisional Officer,
Ponneri.
3. O.Mannappa Naidu
4. T.Ramachandran
5. Sahodara Naidu
6. Raghurama Naidu
7. Ramugan
8. Murugan
9. Rajarathinam
10.Manniah
11.Subbalu
12.B.Mannaiah
13.Annapoorna
14.Janakiraman
15.Balaji
16.Sulochanammal
17.Eswaraiah
18.Janardhana Naidu
19.O.Panduranga Naidu
20.P.Pushpammal

(Respondents 19 and 20 impleaded as
per order of Court, dated 24.01.2008
in W.P.M.P.No.1391 of 2007 in W.P.No.11391 of 2004)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the first respondent in his proceedings in Mu.Mu.No.27432/2003/B3, dated 08.03.2004 and quash the order passed therein and direct the first respondent to take the appeal of the petitioner dated 30.06.2003 on file and dispose of the same in accordance with law.

For Petitioners : Mr.S.Kannathasan for Mr.R.Ravi

For Respondents : Mr.Akhil Akbar Ali,
Government Advocate for RR-1 & 2
Mr.R.S.Varadharajan
for RR-4 to 13 and 15 to 18
No appearance for RR-3 and 14
Mr.N.Jayabalan for RR-19 and 20

ORDER

When the Writ Petition is taken up for hearing, learned counsel on either side brought to the attention of this Court by producing a Memo (certified copy), dated 26.10.2005 filed by the learned counsel for the plaintiffs in O.S.No.256 of 1996 on the file of the District Munsif Court, Ponneri, which was filed for permanent injunction restraining the defendants from alienating or transferring the suit properties in favour of the third parties; when the suit was pending and as the proceedings were also pending before Revenue authorities, it is stated in the said Memo that the defendants have alienated the suit properties through the registered sale deeds No.791/2004 and 792/2004 in favour of the third parties; therefore, as the prayer in the said suit itself have become infructuous, the plaintiffs have not pressed the said suit as stated in the said Memo filed by the plaintiffs. Based on the said Memo, it is stated by the learned counsel on either side before this Court that the Court below has disposed of the suit itself by recording the said Memo. It is further stated by the learned counsel on either side that as the properties in question had been sold to third parties, if the petitioners have got any further grievance, it is open for them to agitate the same in accordance with law. Therefore, no further orders are required to be passed in this Writ Petition, which is accordingly closed. No costs. W.P.M.P. is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

CS

To

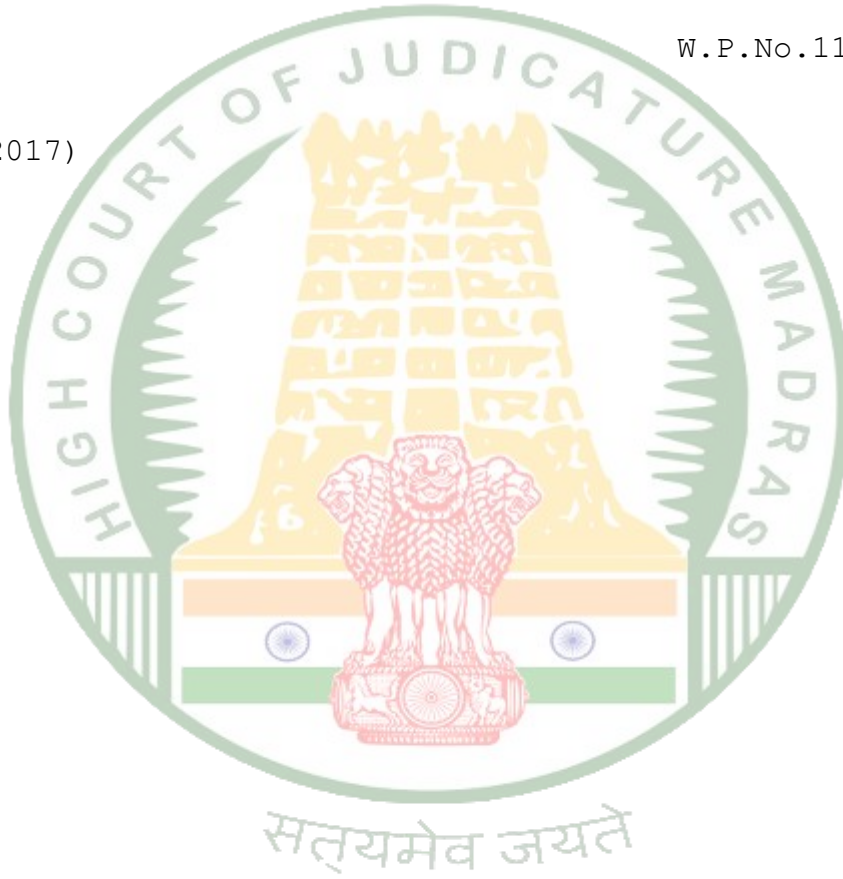
1.The District Revenue Officer,
Tiruvallur.

2.The Revenue Divisional Officer,
Ponneri.

+lcc to Mr.P.Arumugarajan, Advocate, S.R.No.65170

W.P.No.11391 of 2004

VG II(CO)
CA(04/10/2017)



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