



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) .No.7005 of 2017
and W.M.P. (MD) .No.5531 of 2017

WEB COPY

M.Syed Mohamed .. Petitioner

Vs.

1.The Assistant Settlement Officer,
Survey House, Chepauk, Chennai-600 005.

2.District Revenue Officer,
Tiruchirappalli, Tiruchirappalli District.

3.Revenue Divisional Officer,
Tiruchirappalli, Tiruchirappalli District.

4.The Thasildar,
Melur Village, Srirangam Taluk,
Tiruchirappalli District.

5.S.Rangarajan,

6.Kannan

7.Padmini

8.N.Balachandar

9.P.Prasannan

10.S.Arivudai Nambi

11.M.Natarajan

12.J.Viswanathan

13.R.Ganga

14.J.R.Meenakshisundaram

15.V.Krishnamurthy

16.S.Rajagopalan

17.R.Kumar

18.V.Krishnamurthy

19.S.Venkatasubramanian

20.P.R.Gopalakrishnan

21.J.Varadarajan

22.Renganathan

23.Kasthuri Rengan

24.K.Neelakandan

25.G.Ragavendran

26.Meena

27.Rajagopal

28.V.Sureshkumar

29.C.S.Muralidharan

30.P.Kirupakaran

31.N.Ramalingam @ Ramadass

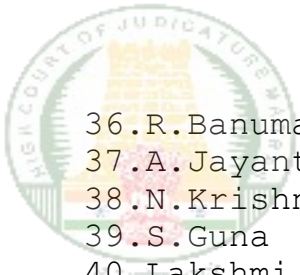
32.K.Vijayalakshmi

33.P.Sabapathy

<https://hcservices.ecourts.gov.in/hcservices/>

34.P.Kaliyaperumal

35.D.Rukmani



36.R.Banumathy
37.A.Jayanthi
38.N.Krishnamurthy
39.S.Guna
40.Lakshmi Narasimhan
41.Mythiri
42.N.S.Ragavendran
43.R.Nithyanandam
44.Dr.Ashokdes Pandey
45.V.Srinivasan
46.K.Subramanian
47.S.Rajagopalan
48.R.Rajan
49.B.V.Muralidharan
50.Meera
51.G.Ram Prabhu
52.Tmt.Rukmani Ganesan
53.J.Narasimha Ragavan
54.Krishnan
55.R.Srinivasan Rao
56.K.Booma
57.R.Devanathan
58.Manickavasagasamy
59.S.Ramesh
60.S.Ganeshkumar
61.V.Srinivasan
62.Nithyanandam
63.P.Kaliyaperumal
64.K.V.Narayan
65.S.Kalyanaraman
66.J.Xavier Babu
(*) 67. S.Senthamarai Kannan

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order passed by the 2nd respondent dated 15.07.2013 relating to the order passed by the second respondent dated 16.07.2013 made in Na.Ka.AA5/10938/2011 confirming the dated 15.07.2013 relating to the order passed by the 2nd respondent order dated made in 04.03.2011 made in Na.Ka.A.7/6379-09 of the 2nd respondent and quash the same as illegal and consequently to direct the respondents 1 to 4 to cancel the patta now standing in the name of Respondents 5 to 67 as pattathar in respect of new T. S. Nos.130, 895,897, 898, 900, 902, 903, 906, 907, 909, 910, 911, 912, 914, 915, 916, 917, 919, 921, 923, 925, 928, 929, 1050, 1052, 1054/1, 1054/2, 1056, 1058, 1060, 1062, 1063, 1065, 1066, 1071, 1072, 1073, 1074, 1076, 1077, 1078, 1079, 1292, 1294, 1296/2, 1297, 1311, 1314, 1317,1318 and old Town Survey No.489, 480B, 134 of Melur Village, Srirangam Taluk, Trichirapalli District and to change and make full assessment in the name of the petitioner in respect of the said property.



For Petitioner : Mr.M.Mahaboob Athiff
for M/s Ajmal Associates
For R1 to R4 : Mr.A.Muthukaruppan
Additional Government Pleader

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O R D E R

This writ petition has been filed for issuance of writ of Certiorarified Mandamus calling for the records relating to the order passed by the 2nd respondent dated 15.07.2013 relating to the order passed by the 2nd respondent dated 16.07.2013 made in Na.Ka.AA5/10938/2011 confirming the order dated made in 04.03.2011 made in Na.Ka.A.7/6379-09 of the 2nd respondent and quash the same as illegal and consequently to direct the respondents 1 to 4 to cancel the patta now standing in the name of Respondents 5 to 67 as pattathars.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 4.

3. Challenging the order passed by the second respondent dated 16.07.2013, the petitioner has already approached this Court in W.P.(MD) No.16737 of 2013. This Court by order dated 09.01.2017 dismissed the writ petition giving liberty to the power agent of the petitioner to file a fresh writ petition. According to the petitioner, since liberty is given he is before this Court seeking the relief stated supra.

4. On a perusal of the pleadings and materials available on record, it could be seen that the matter has been settled as early as in the year 2013 and there is no whisper in the entire affidavit filed in support of this writ petition as to why there is so much delay in approaching this Court. There has been no explanation from the petitioner as to why the earlier writ petition came to be withdrawn and the petitioner cannot take advantage of the liberty granted by this Court in the earlier proceedings for filing a fresh litigation on the issue which has already been settled in the year 2013.

5. In such view of the matter, without going into merits and demerits of the case, this writ petition is dismissed on the ground of latches and delay. No costs. Consequently, connected W.M.P.(MD)No.5531 of 2017 is also dismissed.

Sd/-

Assistant Registrar(CO)

(*)Corrected as per letter dated 01.02.2021.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



TO:

(*) to be substituted the order already despatched on 18.03.2017

1.The Assistant Settlement Officer,
Survey House,
Chepauk,
Chennai-600 005.

2.District Revenue Officer,
Tiruchirappalli,
Tiruchirappalli District.

3.Revenue Divisional Officer,
Tiruchirappalli,
Tiruchirappalli District.

4.The Thasildar,
Melur Village,
Srirangam Taluk,
Tiruchirappalli District.

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 52790

+1cc to M/S AJMAL ASSOCIATES, SR.NO.52565

W.P. (MD) .No.7005 of 2017
and

W.M.P. (MD) .No.5531 of 2017
18.04.2017

CM/IA

kk/MMS/SAR3-16.05.2017-4P-7C

TR(18.03.2021) 4P 7C