

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.4645 of 2014 and
M.P.No.2 of 2014

Mrs.K.Saroja

... Petitioner

Vs

- 1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tambaram, Kancheepuram District.
- 2.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur, Kancheepuram District.
- 3.N.Ramachandran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent in Na.Ka.No.1158/2013/Aa. Dated 17.04.2013 in respect of land measuring 0.50 cents of land comprised in S.No.478 in No.187, Perumbakkam, Saidapet Taluk (thereafter Tambaram Taluk and now Sholinganallur) Chengalpet District (now Kancheepuram District) within the Registration District of Chennai South and Registration Sub-District of Tambaram (now Selaiyur) and quash the same as illegal and without jurisdiction.

For Petitioner : Mr.J.Kamaraj

For Respondents: Mrs.P.Rajalakshmi,

Additional Government Pleader for R1 & R2

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O R D E R

The petitioner has come up with this writ petition to issue a Writ of Certiorarified Mandamus to call for the records of the 1st respondent in Na.Ka.No.1158/2013/Aa. Dated 17.04.2013 in respect of land measuring 0.50 cents of land comprised in S.No.478 in No.187, Perumbakkam, Saidapet Taluk (thereafter Tambaram Taluk and now Sholinganallur) Chengalpet District (now Kancheepuram District) within the Registration District of

Chennai South and Registration Sub-District of Tambaram (now Selaiyur) and quash the same as illegal and without jurisdiction.

2. When the matter is taken up for consideration, it is represented that the order impugned in W.P.No.33150 of 2012, cancelling the sale deed on the basis of Circular No.67, came to be quashed by the Hon'ble Division Bench of this Court vide order dated 31.10.2017.

3. Under such circumstances, since the issue raised in the present writ petition is similar to the issue raised in the above mentioned writ petition, the impugned order in the present writ petition in Na.Ka.No.1158/2013/Aa. dated 17.04.2013 issued by the first respondent, does not survive. The observation made by the Hon'ble Division Bench of this Court in W.P.No.33150 of 2012 at paragraph No.5, granting liberty to the petitioner therein to go before the Civil Court, has been complied with and the respective parties had already moved the Civil Court for appropriate remedy. Therefore, this Court is of the considered view that every right of the petitioner herein can be agitated pursuant to the order of the Civil Court.

4. With this observation, the writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gsk

To

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tambaram,
Kancheepuram District.

2.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur,
Kancheepuram District.

+3cc to Mr.J.Kamaraj, Advocate sr.no.57510
+1cc Government Pleader sr.no.57644

W.P.No.4645 of 2014

nr 26/09/2018