

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 22.06.2018

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.7258, 7259, 7260, 7261, 7262, 7263 and 7264 of 2003
and W.M.P.Nos.9357, 9358, 9359, 9360, 9361, 9362 and 9363 of 2003
and W.V.M.P.Nos.18, 16, 17 and 19 of 2010

B. Justin Nicholas Petitioner in W.P.No.7258 of 2003

1.G. Ravi

2.G. Raghu Petitioners in W.P.No.7259 of 2003

1.Mrs.B. Lakshmi Sharma

2.V.B. Sharma Petitioners in W.P.No.7260 of 2003

1.K.V. Thyagarajan

2.Mrs.Hymavathy Thyagarajan Petitioners in W.P.No.7261 of 2003

Dr.R. Vidya Petitioner in W.P.No.7262 of 2003

1.E.S. Vaidyanathan

2.Mrs.Chitra Petitioners in W.P.No.7263 of 2003

Ms.P. Shyama Petitioner in W.P.No.7264 of 2003

1. The State of Tamil Nadu
rep by the Secretary to Government,
Revenue Department,
Fort St. George, Chennai.

2. The Principal Commissioner cum
Commissioner Land Administration,
Chepauk,
Chennai.

3. The Competent Authority,
The Assistant Commissioner,
(Urban Land Ceiling Act),
Pozhichalure Village,
Chennai.

.. Respondents in all the Writ Petitions

Prayer in W.P.No.7258 of 2003: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring that the Proceedings initiated by the Third Respondent under the Tamil Nadu Urban Land Ceiling and Regulation Act 1978 against the Petitioner in respect of his land viz., Survey No.15, Plot No.17, to the extent of 2311 sq.ft at Pozhichalure village as null and void since the Act is abated.

Prayer in W.P.No.7259 of 2003: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring that the Proceedings initiated by the Third Respondent under the Tamil Nadu Urban Land Ceiling and Regulation Act 1978 against the Petitioners in respect of their land viz., Plot No.14 measuring 2238 sq.ft situated at Old No.127, New No.98, Pozhichalure Village as null and void since the Act is abated.

Prayer in W.P.No.7260 of 2003: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring that the Proceedings initiated by the Third Respondent under the Tamil Nadu Urban Land Ceiling and Regulation Act 1978 against the Petitioners in respect of their land viz., Plot No.5, measuring 2340 sq.ft situated at Old No.127, New No.98, Pozhichalure Village as null and void since the Act is abated.

Prayer in W.P.No.7261 of 2003: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring that the Proceedings initiated by the Third Respondent under the Tamil Nadu Urban Land Ceiling and Regulation Act 1978 against the Petitioners in respect of their land viz., Plot No.16, measuring 2247 sq.ft, situated at Old No.127, New No.98, Pozhichalure Village as null and void since the Act is abated.

Prayer in W.P.No.7262 of 2003: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring that the Proceedings initiated by the Third Respondent under the Tamil Nadu Urban Land Ceiling and Regulation Act 1978 against the Petitioner in respect of her land viz., Plot No.4, measuring 2340 sq.ft., situated at Old No.127, New No.98 at Pozhichalure village as null and void since the Act is abated.

Prayer in W.P.No.7263 of 2003: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring that the Proceedings initiated by the Third Respondent under the Tamil Nadu Urban Land Ceiling and Regulation Act 1978 against the Petitioners in respect of their

land viz., Plot No.3 measuring 2340 sq.ft situated at Old No.127, New No.98, Pozhichalure Village as null and void since the Act is abated.

Prayer in W.P.No.7264 of 2003: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring that the Proceedings initiated by the Third Respondent under the Tamil Nadu Urban Land Ceiling and Regulation Act 1978 against the Petitioner in respect of her land viz., Plot No.15, measuring 2238 sq.ft., situated at Old No.127, New No.98 at Pozhichalure village as null and void since the Act is abated.

For Petitioners: No appearance
in all the WPs

For Respondents: Mr.K.S. Suresh
all Wps. Government Advocate

COMMON ORDER

Writ Petitions filed under Article 226 of the Constitution of India praying to issue Writ of Declaration declaring that the Proceedings initiated by the Third Respondent under the Tamil Nadu Urban Land Ceiling and Regulation Act 1978 against the Petitioners in respect of their lands as null and void since the Act is abated.

2. M/s M. Uma Shankar, the erstwhile learned counsel for the Petitioners by their Memo dated 24.04.2014 had informed this Court that they were no more holding vakalat on behalf of the Petitioners and in furtherance thereof, this Court by Order dated 01.08.2014 had directed notice to be issued to the Petitioners. Notice issued to the First Petitioner K.V. Thiyagarajan in W.P.No.7261 of 2003 has been served on 11.08.2014 and the bailiff has also made an endorsement that the Second Petitioner therein had expired on 01.02.2005 on the basis of the statement made by the First Petitioner therein to him. In respect of the Petitioners in the other Writ Petitions, the same have been returned as 'left' in the report of the bailiff as well as in the postal endorsement.

3. There has been no representation for the Petitioners when the cases were called today at 2.24 p.m as well as during the earlier hearings on 06.06.2018, 13.06.2018 and 21.06.2018. It appears that none of the Petitioners in these Writ Petitions are interested in pursuing the matter further. In the absence of the Petitioners, this Court would not be in a position to effectually adjudicate the matters involved in these Writ

Petitions. Accordingly, these Writ Petitions are dismissed for non-prosecution. No costs. Consequently, connected WMPs and WVMPs are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai.
2. The Principal Commissioner cum
Commissioner Land Administration,
Chepauk,
Chennai.
3. The Competent Authority,
The Assistant Commissioner,
(Urban Land Ceiling Act),
Pozhichalure Village,
Chennai

+1cc to Government Pleader in sr.no.40393

W.P.No.7258 to 7264 of 2003

VBA(CO)
NR 12/07/2018

सत्यमेव जयते

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