

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2018

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.A.No.2279 of 2010
and M.P.No.1 of 2011

S.Rajamathe .. Appellant/4th respondent

Vs.

1.G.Arunagirinathan

2.The District Revenue Officer,
Perambalur District
Perambalur.

3.The Revenue Divisional Officer,
Perambalur Taluk
Perambalur District.

4.The Tahsildar
Perambalur Taluk
Perambalur District.

.. Respondents/Respondent

Prayer:

Writ Appeal filed under Clause 15 of Letters Patent against the order dated 06.08.2010, made in W.P.No.1663 of 2010.

WP.NO.1663/2010:

Writ Petition filed under Article 226 of Constitution of India, for a Writ of Certiorarified Mandamus to call for records of the impugned order of the first impugned order passed by the 2nd respondent in vide Na.Ka.No.A4/2737/2008, dated 16.4.2009 and impugned order passed by first respondent order in vide Na.Ka.B2/11544/2008, dated 6.11.2009 and quash the same consequently direct the first respondent to correct the mistaken entry of the petitioner land in S.No.146/6A admeasuring 2.34 acres under UDR scheme on the recommendation of the 3rd respondents report dated 29.5.2008 to issue patta in the name of the petitioner.

For Appellant : Mr.K.N.Nataraj

For Respondents : Mr.V.Arun for R1
Mr.N.Sakthivel,
Addl. Govt. Pleader [R2] to R4

JUDGMENT

[Judgment of the Court was made by M.M.SUNDRESH, J.]

When the matter is taken up for hearing, the learned counsel appearing for the first respondent brought to the notice of this Court that the appellant has sold the property, which is subject matter of the patta, as early as on 26.05.2018.

2. The learned counsel appearing for the appellant is not able to deny the aforesaid factum.

3. In such view of the matter, we are of the view that the appeal itself is not maintainable, as even at the time of filing the writ petition by the first respondent, the appellant did not have the title.

4. Therefore, this Writ Appeal is dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The District Revenue Officer,
Perambalur District
Perambalur.

2.The Revenue Divisional Officer,
Perambalur Taluk
Perambalur District.

3.The Tahsildar
Perambalur Taluk
Perambalur District.

+1cc to Mr.K.N.Nataraj, Advocate sr.no.43586
+1cc to Mr.V.Arun, Advocate sr.no.43564
+1cc to Government Pleader sr.no.44005

W.A.No.2279 of 2010
and M.P.No.1 of 2011

mr(co)
nr 17/07/2018



WEB COPY