



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.A.(MD)No.243 of 2018
and
C.M.P (MD)No.1405 of 2018

Mr.P.Raja Pandi .. Appellant/Respondent

Vs.

1.The District Collector,
District Collector Campus,
Madurai District, Madurai.

2.The Thasildar,
Thasildar Office,
Usilampatti, Madurai District.

3.Mr.Rasuperiyakaruppan

4.Mrs.Karuthammal

5.Mrs.Muthupetchi

6.Mrs.Meenakshi

.. Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent Act, to set aside the order passed in W.P(MD)No.17200 of 2015, dated 18.10.2016 on the file of this Court.

Prayer in WP(MD) . 17200/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned patta issued by the 2nd respondent in Patta No.4114 dated 03.07.2015 and quash the same as illegal and consequently restore the patta in the name of the petitioner as it existed in Patta No.3500 within the time that may be stipulated by this Honourable Court.

For Appellant	: Mr.S.Rajasekar, for Mr.T.Lajapathi Roy
For R-1 & R-2	: Mr.A.K.Baskarapandian, Special Government Pleader
For R-3 to R-6	: Mr.M.S.Jeya Karthick

JUDGMENT

[Judgment of the Court was delivered by **M.SATHYANARAYANAN, J.**]



relating to the impugned patta granted and to quash the same with a consequential direction, to restore the patta in his name as it exists in patta No.3500.

2. The learned Single Judge vide order dated 18.10.2016, has disposed of the writ petition, by granting liberty to the writ petitioner, to avail the appeal remedy before the Revenue Divisional Officer, Usilampatti Division, Madurai District, with a further direction to consider and pass orders in accordance with law, within a stipulated time frame and challenging the legality of the said order, the appellant/writ petitioner has filed the present writ appeal.

3. When the matter was listed on 05.03.2018, this Court directed the learned counsel appearing for the appellant, to serve papers on the learned counsel, who appeared for the private respondents in the Writ Petition and Mr.A.K.Baskarapandian, learned Special Government Pleader, accepted notice on behalf of the official respondents.

4. The learned counsel appearing for the private respondents, would submit that the Revenue Divisional Officer, vide proceedings in Na.Na.No.4224/2016/A2, dated 22.02.2017, has rejected the appeal preferred by the appellant/writ petitioner and also granted liberty to avail the revisional remedy before the District Revenue Officer and the appellant/writ petitioner has also filed a revision before the District Revenue Officer, Madurai and in the light of the same, nothing survives for further adjudication in this writ appeal.

5. The learned counsel appearing for the appellant/writ petitioner, would submit that the revision filed the appellant/writ petitioner, is yet to be numbered.

6. In the considered opinion of this Court, on account of the orders passed by the Revenue Divisional Officer, Usilampatti Division, Madurai District, dated 22.02.2017 (cited supra), nothing survives for further adjudication in this writ appeal. However, the appellant/writ petitioner is at liberty to pursue the revisional remedy before the District Revenue Officer, Madurai.

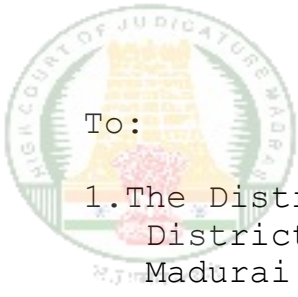
7. In the result, the Writ Appeal is dismissed, subject to above observations. No Costs. Consequently, connected Civil Miscellaneous Petition, is closed.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar



To:

1.The District Collector,
District Collector Campus,
Madurai District, Madurai.

2.The Thasildar,
Thasildar Office,
Usilampatti,
Madurai District.

+1CC TO M/S.M.S.JEYAKARTHIK, ADVOCATE, SR NO.57224

W.A. (MD) No.243 of 2018
22.03.2018

pm

MS/KKR/SAR-4/05.04.2018/3P.4C