



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2018

CORAM:

WEB COPY

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE Mrs. JUSTICE T.KRISHNAVALLI

W.A.(MD)No.1231 of 2018
and
C.M.P.(MD)No.8605 of 2018

John @ Abdul Kadar

... Appellant/3rd Party

Vs.

1.S.Innunjariya @ Rajathi

2.The District Collector,
Office of the District Collector,
Thanjavur District.

3.The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur District.

4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Katcheri Road, Kumbakonam,
Thanjavur District.

5.The Tahsildar,
Office of the Tahsildar,
Papanasam Taluk,
Thanjavur District.

... Respondents 2 to 5/
Respondents 1 to 4

PRAYER: The Appeal is filed under Clause 15 of Letters Patent Act, against the order dated 19.07.2017 passed in W.P.(MD)No.13235 of 2017 by the Learned Single Judge of this Court.

Prayer in WP(MD)No.13235/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents to conduct detailed enquiry and remove the name John @ Abdul Kadar from the joint patta No.239,



survey No.83/3A, in Araiypuram Village, Papanasam Taluk, Thanjavur District in accordance with law on the basis of the petitioners representation dated 07.06.2017 within the time stipulated by this Hon'ble Court.

For Appellant : Mr.K.Mahendaran
For Respondents : Mrs.J.Padmavathi Devi,
Spl.GP.for R2 to 5

JUDGMENT

(Judgment of the Court was delivered by PUSHPA SATHYANARAYANA,J.)

This Writ Appeal is directed against the order dated 19.07.2017 passed in W.P.(MD)No.13235 of 2017, directing the third respondent / Tahsildar, Papanasam Taluk, to consider the representation of the first respondent / Writ petitioner dated 07.06.2011 and pass appropriate orders on merits and in accordance with law after providing opportunity to all necessary parties within a period of 12 weeks from the date of receipt of a copy of this order.

2.The appellant was not added as party to the Writ petition. The order in Writ petition was passed on 19.07.2017 and the same was complied with by the respondent concerned on 19.10.2017, which is likely to be challenged by the appellant.

3.The learned counsel appearing for the appellant alleged that the order passed by the respondent concerned was biased.

4.As the order passed by the Learned Single Judge had been complied with by the respondent concerned vide order dated 19.10.2017, the Writ Appeal is dismissed. It is open to the appellant to raise all the points available to him including bias before appropriate forum. No costs. Consequently, connected C.M.P.is closed.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1.The District Collector,
Office of the District Collector,
Thanjavur District.



2.The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur District.

WEB COPY

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Katcheri Road, Kumbakonam,
Thanjavur District.

4.The Tahsildar,
Office of the Tahsildar,
Papanasam Taluk,
Thanjavur District.

+ 1 CC TO Mr.K.MAHENDRAN, ADVOCATE IN SR No. 83305
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 84047

NBJ

TE/SKN/SAR-1 : 03/10/2018 : 3P/7C

W.A. (MD) No.1231 of 2018
10.09.2018