

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated : 15.03.2019

CORAM:
THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.23256 of 2004
and W.P.M.P.No.28142 of 2004

S.Renuka

... Petitioner

Vs.

1. Government of Tamil Nadu,
Rep. by its Secretary to Government,
Cooperation & H.R. & C.E. Department,
Fort St. George, Chennai 600 009.
2. The Commissioner for Land Administration,
Chepauk, Chennai 600 005.
3. The Commissioner,
H.R. & C.E. Department,
Nungambakkam, Chennai 600 034.
4. Joint Commissioner,
H.R. & C.E. Department,
Madurai 625 001.
5. The Thasildar,
Dindigul.
6. District Registrar,
Dindugal.
7. Sub Registrar,
Chinnalapatti, Dindugal District.
8. District Collector,
Dindugal 624 001.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the respondents culminated in the letter Rc.No.5987/2002/C2-3, dated 19.07.2004 of the Joint Commissioner H.R. & C.E. Administration Department Madurai 625 001 and quash the impugned letter.

For Petitioner : Mr.V.Sankaranarayanan

For Respondents : Mr.M.Venkadesh Kumar,
G.A. (HR&CE), for RR1,3 & 4

Mr.S.Suresh Kumar,
G.A., for RR2 and 5 to 8

O R D E R

This petition has been filed to quash the impugned letter dated 19.07.2004 in Rc.No.5987/2002/C2-3, of the Joint Commissioner H.R. & C.E. Administration Department, Madurai.

2. It is submitted by the learned counsel for the petitioner that pending Writ Petition, the issue involved in connection with the land, which is the subject matter of the Writ Petition, came to be challenged before the Supreme Court and the Hon'ble Apex Court in the decision reported in 2006 1 SCC 257 (Joint Commissioner, Hindu Religious and Charitable Endowments, Admn. Department vs. Jayaraman), has observed as follows:

"13. In the circumstances, we allow this appeal and setting aside the order of the High Court in Civil Revision Petition (NPD) No.1684 of 2002 and that of the Principal District Judge, Dindigul in Trust Original Petition No.44 of 2001, dismiss Trust Original Petition No.44 of 2001 filed by the claimants. Consequently, the permission granted for the sale would also stand set aside and the sale effected by the claimants pursuant to such permission will be deemed void and would confer no right on the purchasers thereunder or on anyone claiming under or through them. It is also clarified that the revised order of the Settlement Tahsildar under Act 30 of 1963 and the revised patta granted are not binding on the deities or on the HR&CE Department. The appellant would be entitled to its costs both here and in the High Court."

3. In view of the above order of the Hon'ble Apex Court, the issue is finally settled and no interference can be made in this matter. Hence, the Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते
Sd/-

Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Secretary to Government,
Government of Tamil Nadu,
Cooperation & H.R. & C.E. Department,
Fort St. George, Chennai 600 009.

2.The Commissioner for Land Administration,
Chepauk, Chennai 600 005.

3.The Commissioner,
H.R. & C.E. Department,
Nungambakkam, Chennai 600 034.

4.The Joint Commissioner,
H.R. & C.E. Department,
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5.The Thasildar,
Dindigul.

6.District Registrar,
Dindugal.

7.The Sub Registrar,
Chinnalapatti,
Dindugal District.

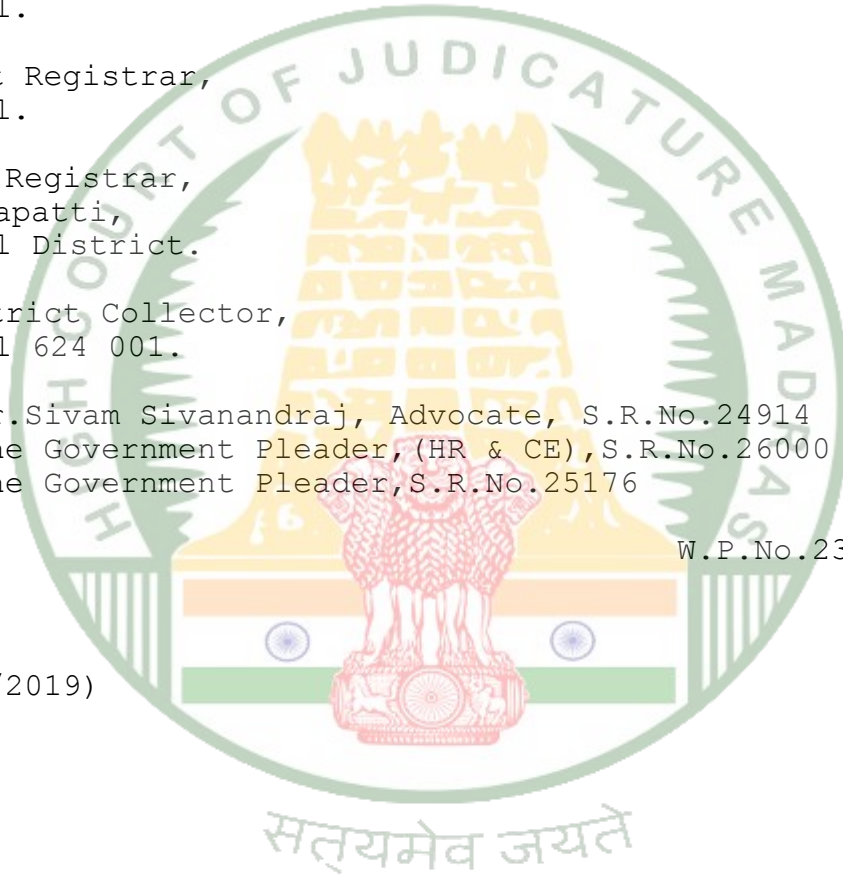
8.The District Collector,
Dindugal 624 001.

+1cc to Mr.Sivam Sivanandraj, Advocate, S.R.No.24914
+1cc to the Government Pleader, (HR & CE), S.R.No.26000
+1cc to the Government Pleader, S.R.No.25176

W.P.No.23256 of 2004

MN (CO)

RRS (27/04/2019)



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