

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.10.2019

Coram:

THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN

Writ Petition No.26862 of 2019

A.Siva Subramanian

.. Petitioner

/versus/

1.The Sub Collector,
Office of the Sub Collector,
Tharapuram, Tiruppur District.

2.The Tahsildar,
Kangayam,
Tiruppur District.

3.Mrs.Kamalaveni

4.Mrs.Senbagavalli

5.Mrs.Gnanambal

6.Mr.Rathnakumar

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent herein to remove the illegal entries made in the patta Nos.1292 and 1842 on the basis of his appeal representation dated 19.06.2019 on a date fixed by this Court.

For Petitioner :Mr.P.Gunaraj

For Respondents :Mr.D.Raja, AGP for R1 & R2
Mr.S.Saravanan for
R3,5 and R6

O R D E R

The writ petition is filed seeking Mandamus to direct the first respondent to delete the names of respondents 3 to 6 in the patta bearing No.1842 and 1292 in Kadaiyur village, Kangayam Taluk, Tiruppur District alleging that the names of respondents 3 to 6 have been fraudulently included in the patta

of the petitioner. The petitioner has preferred an appeal before the first respondent on 19.06.2019. Since there was no order passed on his appeal, the present writ petition has been filed.

2. The learned Additional Government Pleader appearing for respondents 1 and 2 today circulated the proceedings of the Sub Collector, Tiruppur vide Ni.Mu.1790/2019/A, dated 19.09.2019 wherein he has conducted enquiry about the entry made in the patta bearing Nos.1842 and 1292. Recording the fact that the civil suit is pending between the parties regarding the title of the properties bearing in S.Nos.305, 306/1,,2,3,4,5 and 411/2C. He has dismissed the appeal quoting the pendency of A.S.No.68 of 2018 on the file of the Sub Court, Kangayam, Tiruppur District. Further, in the said proceedings the Sub Collector has also informed the parties that if they are aggrieved by the said proceedings, they have remedy to prefer revision before DRO, Tiruppur.

3. In view of the order passed by the first respondent herein dated 19.09.2019, the prayer in the writ petition has become infructuous. However, the parties can workout the remedy as per the law in view of the order passed by the first respondent.

4. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CJ Conf)

//True copy//

Sub Assistant Registrar

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To

1.The Sub Collector,
Office of the Sub Collector,
Tharapuram, Tiruppur District.

2.The Tahsildar,
Kangayam,Tiruppur District.

+1cc to Mr.P.Gunaraj, Advocate SR.No.84425
+1cc to Mr.S.Saravanan, Advocate SR.No.84417
+1cc to Government Pleader SR.No.85482

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KK(CO)

GMV(25/10/2019)