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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2021

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.27419 OF 2013

AND

M.P.NO.1 OF 2013

P.Ramesh

... Petitioner

-Vs-

1. Indiragandhi
2. The District Revenue Officer,  
Virudhachalam Taluk,  
Cuddalore.
3. The Revenue Divisional Officer,  
Virudhachalam Taluk,  
Cuddalore.
4. The Tahsildar,  
Virudhachalam Taluk,  
Cuddalore.
5. Sudha
6. Shakthivel  
(R5 and R6 substituted LR's of deceased  
1<sup>st</sup> Respondent vide order dated  
09.12.2021 in W.M.P.No.26236 of 2021  
in W.P.No.27419 of 2013)

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent in proceedings bearing number Na.Ka.Ve.3/21362/2012, dated 06.08.2013 quash the same and direct the second respondent to restore the patta in the name of the petitioner in respect of the properties at Survey number 7/2 - 13 cents and an extent of 55 cents comprised in S.No.7/4, Perianesanaloor Village, Virudhachalam Taluk.



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For Petitioner : Mr.G.Surya Narayanan  
For R2 to R4 : Mr.P.Baladhandayutham  
Special Government Pleader  
For R1 : Mr.Mukund  
For M/s.Sarvabhauman Associates

#### ORDER

This Writ Petition has been filed for the issuance of Writ of Certiorarified Mandamus, calling for the records of the second respondent in proceedings bearing number Na.Ka.Ve.3/21362/2012, dated 06.08.2013 quash the same and direct the second respondent to restore the patta in the name of the petitioner in respect of the properties at Survey number 7/2 - 13 cents and an extent of 55 cents comprised in S.No.7/4, Perianesanaloor Village, Virudhachalam Taluk.

2. Heard Mr.G.Surya Narayanan, learned counsel appearing for the petitioner, Mr.P.Baladhandayutham, learned Special Government Pleader appearing for the respondents 2 to 4 and Mr.Mukund, learned counsel appearing for the first respondent.

3. The petitioner challenged the order passed by the second respondent dated 06.08.2013 thereby, set aside the order passed by the third and fourth respondents herein for the reason that the second appeals preferred by the first respondent are pending before this Court in S.A.No.1147 and 1148 of 2011.

4. The learned counsel for the petitioner would submit that both the second appeals were dismissed by this Court by the Judgment, dated 26.10.2021 for the reason that the subject properties were already sold to the petitioner herein and therefore nothing survives for further adjudication.

5. In view of the above, the order impugned in this writ petition in Na.Ka.Ve.3/21362/2012, dated 06.08.2013 is hereby set aside and remanded back to the second respondent for fresh disposal. While pending the writ petition, the first respondent also died. Therefore, the second respondent is directed to issue notice to the petitioner and the legal heirs of the deceased first respondent within a period of two weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing, pass orders on merits and in accordance with law, in the light of the order passed by this Court in S.A.Nos.1147 and 1148 of 2011, dated 26.10.2021.



6. The petitioner is directed to furnish the details of the legal heirs of the first respondent with their address to the second respondent within a period of 1 week from the date of receipt of a copy of this order.

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7. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

Sd/-  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The District Revenue Officer,  
Virudhachalam Taluk,  
Cuddalore.
2. The Revenue Divisional Officer,  
Virudhachalam Taluk,  
Cuddalore.
3. The Tahsildar,  
Virudhachalam Taluk,  
Cuddalore.

+1cc to M/s.Sarvabhauman Associates, Advocate, S.R.No.65440  
+1cc to the Government Pleader, S.R.No.66100

W.P.NO.27419 OF 2013

SPD(CO)  
PBS/06/01/2022