

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.1097 of 2020

K.KAMAL BASHA

... Appellant

Vs

1 THE REVENUE DIVISIONAL OFFICER
KALLAKURICHI
VILLUPURAM DISTRICT.

2 THE THASILDAR
KALLAKURICHI
VILLUPURAM DISTRICT.

3 SARTAJ BEGUM

4 JEELANI BEGUM

5 THE ASSISTANT ENGINEER
TAMIL NADU ELECTRICITY BOARD
KALLAKURICHI
VILLUPURAM DISTRICT.

6 THE COMMISSIONER
KALLAKURICHI MUNICIPALITY
KALLAKURICHI
VILLUPURAM DISTRICT.

7 THE JOINT REGISTRAR II
KALLAKURICHI
VILLUPURAM DISTRICT.

... Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 30.1.2020 passed in W.P.No.4290 of 2016.

WP.No.4290 of 2016:Calling for records of the 1st respondent in RC.A4/3991/2015 dated 06/11/2015 and quash the same.

For Appellant : Mr.N.A.Nissar Ahmed

For Respondents : Mr.L.Chandrakumar
3 and 4

JUDGMENT

(Delivered by SENTHILKUMAR RAMAMOORTHY, J.)

We heard learned counsel for the appellant.

2. Mr.L.Chandrakumar, learned counsel, accepts notice for respondents 3 and 4.

3. This writ appeal lies in a very narrow compass, inasmuch the appellant challenges an order dated 30.1.2020, whereby his challenge to a notice dated 6.11.2015 from the first respondent was rejected. The said notice pertains to a hearing before the first respondent in connection with the patta that was issued in favour of the appellant.

4. Upon perusal of the impugned order, we find that the learned Judge has recorded that the revenue authorities cannot decide disputes as to title, which should be decided by the appropriate civil court, and subject to that caveat, the learned Judge has granted a further opportunity to the appellant and the private respondents, namely respondents 3 and 4, to participate in the enquiry.

5. Mr.L.Chandrakumar submits that pursuant to the said impugned order, the enquiry was concluded and an order was passed by the first respondent on 30.12.2020. As such, he submits that nothing survives for adjudication in this appeal, which has been rendered infructuous.

6. On account of the aforesaid submissions, W.A.No.1097 of 2020 is dismissed as infructuous. It is open to the appellant to challenge the order dated 30.12.2020, if he is aggrieved by the same. No costs. Consequently, C.M.P.No.13389 of 2020 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

- 1 THE REVENUE DIVISIONAL OFFICER
KALLAKURICHI
VILLUPURAM DISTRICT.
- 2 THE THASILDAR
KALLAKURICHI
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- 3 THE ASSISTANT ENGINEER
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KALLAKURICHI MUNICIPALITY
KALLAKURICHI
VILLUPURAM DISTRICT.
- 5 THE JOINT REGISTRAR II
KALLAKURICHI
VILLUPURAM DISTRICT.

+1 cc to the Government pleader sr1043
+1 cc to Mr.N.Chandrakumar Advocate sr1136
+1 cc to Mr.N.A.Nissar Ahmed Advocate sr1019

W.A.No.1097 of 2020

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