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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.33744 OF 2017

AND

W.M.P.NOS.37526 & 37527 OF 2017

1. R.Gunasekaran
2. R.Gengusamy
3. R.Rajaveni

... Petitioners

-Vs-

1. The District Collector,
Collectorate Building,
Tiruppur District.
2. The District Revenue Officer,
Collectorate Building,
Tiruppur District.
3. The Revenue Divisional Officer,
Udumalpet.
4. The Tahsildar,
Udumalpet.
5. Dhasamuthu
6. Rajaveni
7. Sulochana
8. Padmavathi
9. Venkatachalam
10. Periakaliappa Kuduban
C/o.M/s.Onspec Technology
Parters (India) Pvt., Ltd.,
Rep. by its Administrative Officer,
Senthilkumar.
11. The Namakkal Transport Carriers(P) Ltd.,
Rep. by its Director, Chandra Mohan,
NTC Towers,
No.97, Linguchetty Street,
Parrys, Chennai.



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12. The Habbliies Hotel Private Limited,
Rep. by its Director,
Rajesh Devarajan
NTC Towers,
No.97, Linguchetty Stett,
Chennai.

13. Veerappan
14. Foundation Charitable Trust,
Rep. by Aruna Arokiasamy,
Bodipatty Village,
Udumalpet Taluk.

15. Jeevarathinam

16. Gnanabigai

17. Gandhimathi

18. Periakaliappa Kudumban

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the third respondent to consider the appeal dated 19.12.2017 made by the petitioners seeking to restore the name of the petitioners in the patta bearing survey number 266/2 to an extent of 6.49 acre out of 12.98 acres Survey No.267/2 to an extent of 2.09 acres out of 4.18 acres, Survey No.268/2 to an extent of 8.29 acre out of 16.58 acre situated at Ponneri Village, Udumalpet Taluk, Tiruppur District.

For Petitioners : Mr.A.Maheshnath

For Respondents

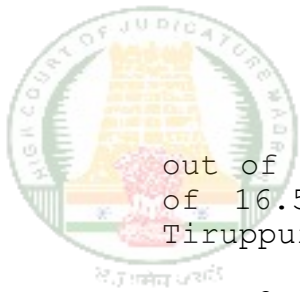
For R1 to R4 : Mr.M.R.Gokul Krishnan
Government Advocate

For R5 to R8 : Mr.S.Raj Makesh

For R15 to R17 : Dr.C.Ravichandran

ORDER

This Writ Petition has been filed to direct the third respondent to consider the appeal dated 19.12.2017 made by the petitioners seeking to restore the name of the petitioners in the patta bearing survey number 266/2 to an extent of 6.49 acre out of 12.98 acres Survey No.267/2 to an extent of 2.09 acres



out of 4.18 acres, Survey No.268/2 to an extent of 8.29 acre out of 16.58 acre situated at Ponneri Village, Udumalpet Taluk, Tiruppur District.

2. Heard Mr.A.Maheshnath, learned counsel appearing for the petitioners, Mr.M.R.Gokul Krishnan, learned Government Advocate appearing for the respondents 1 to 4, Mr.S.Raj Makesh, learned counsel appearing for the respondents 5 to 8 and Mr.C.Ravichandran, learned counsel appearing for the respondents 15 to 17.

3. The learned counsel appearing for the respondents 5 to 8 would submit that with the similar prayer the petitioners already filed a Writ Petition in W.P.No.8946 of 2018 and this Court by an order dated 28.02.2019 directed the third respondent to pass order on merits and in accordance with law. Thereafter the third respondent disposed the appeal in the proceedings No. Na.ka.No.282/2018/A2 dated 26.09.2019. Aggrieved by the same, the petitioners filed another Writ Petition in W.P.No.30567 of 2019 and the same is pending before this Court. Therefore, the present Writ Petition is liable to be dismissed.

4. Considering the submission made by the learned counsel appearing for the respondents 5 to 8, this Writ Petition is dismissed as infructuous. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rts

To

1. The District Collector,
Collectorate Building,
Tiruppur District.
2. The District Revenue Officer,
Collectorate Building,
Tiruppur District.
3. The Revenue Divisional Officer,
Udumalpet.



4. The Tahsildar,
Udumalpet.

+1cc to M/s.G.Sankaran, Advocate, S.R.No.57114

+1cc to Dr.C.Ravichandran, Advocate, S.R.No.57065

+1cc to the Government Pleader, S.R.No.57650

W.P.NO.33744 OF 2017 AND
W.M.P.NOS.37526 & 37527 OF 2017

AD(CO)
PBS/22/11/2021