



W.P.No.11191 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.10.2022

CORAM:

THE HON'BLE **MR.JUSTICE N.SATHISH KUMAR**

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1.Dhanapakkiam  
2.Radha  
3.Karunaiyammal  
4.Dhanalakshmi  
5.Kannammal  
6.Rathina  
7.Palaniyammal  
8.Selvakumari  
9.Valliammal  
10.Rathinammal  
11.Kamalaveni

... Petitioners

Vs.

1.The Collector  
Tiruppur District  
Tiruppur

2.The Revenue Divisional Officer  
Dharapuram

3.The Commissioner  
Kundadam Panchayat Union  
Kundadam  
Tiruppur District

... Respondents



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**PRAYER:** Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to notification in Na.Ka.No.48762/2006 (Tha-2) dated 23.07.2008 which was published in the Erode District Gazette dated 28.08.2008 on the file of the 1<sup>st</sup> respondent and quash the same so far as the petitioners are concerned and direct the respondents to provide basic facilities like electricity, water, drainage, road, street light to the petitioners.

For Petitioners : Mr.S.Doraisamy

For Respondents : Mr.D.Gopal  
Government Advocate for R1 to R3

**ORDER**

The Writ Petition has been filed under Article 226 of Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to notification in Na.Ka.No.48762/2006 (Tha-2) dated 23.07.2008 which was published in the Erode District Gazette dated 28.08.2008 on the file of the 1<sup>st</sup> respondent and quash the same so far as the petitioners are concerned and direct the respondents to provide basic facilities like electricity, water, drainage, road, street light to the petitioners.



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2.It is the contention of the learned counsel for the petitioners that they were allotted house sites and thereafter they were living in the property. However, notification was issued by the 1<sup>st</sup> respondent in Na.Ka.No.48762/2006 (Tha-2) dated 23.07.2008 which was published in the Erode District Gazette dated 28.08.2008 to cancel the patta allotted to the petitioners. Hence the petition.

3.Counter affidavit has been filed by the respondents to that effect. The learned counsel for the respondents submitted that the impugned notification issued in Na.Ka.No.48762/2006 (Tha-2) dated 23.07.2008 and published in the Erode District Gazette dated 28.08.2008 has already been dropped by the Collector without taking any action. This Court has also passed an order in this regard in W.P.No.8933 of 2009 dated 03.11.2022 and set aside the Erode District Collector's order initiating steps to cancel the patta.

4.As the very Notification issued in Na.Ka.No.48762/2006 (Tha-2) dated 23.07.2008 and published in the Erode District Gazette dated 28.08.2008 by the 1<sup>st</sup> respondent has already been quashed by this Court



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in W.P.No.8933 of 2009 dated 03.11.2022, nothing survives in this writ petition again to quash the same.

5.This Writ Petition stands dismissed accordingly as infructuous.

No costs.

27.10.2022

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Index : Yes / No

Internet : Yes / No

Speaking / Non speaking order

To

1.The Collector

Tiruppur District

Tiruppur

2.The Revenue Divisional Officer

Dharapuram

3.The Commissioner

Kundadam Panchayat Union

Kundadam

Tiruppur District

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