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W.P.No.12689 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.12689 of 2014

R.Balamurugan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Mettur Dam – 636 401.
Salem District.

2.The Tahsildar,
Mettur Dam – 636 401.
Salem District.

3.P.Appavu

4.Pappal

5.P.Duraisamy

6.Nadhu

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 06.09.2013 and cancel the pattas issued in favour of the respondents 4 and 5.

For Petitioner : Mr.B.Kumarasamy

For Respondents : Mr.U.Baranidharan for R1 and R2
Additional Government Pleader
Mr.S.Doraisamy for R4 to R6



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ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 06.09.2013 and cancel the pattas issued in favour of the respondents 4 and 5.

2.The learned counsel appearing for the petitioner submitted that in the cause list dated 02.08.2021, W.P.No.12689 of 2011 was listed before this Court, as per which, the petitioner name is 'SRS Fly Ash Bricks', the respondent name is 'Union of India and two others' and the name of the learned counsel for the petitioner is 'M/s.Rathina, Kavitha Ashok', however, inadvertently, this Court disposed of this writ petition (W.P.No.12689 of 2014).

3.The learned counsel appearing for the petitioner further submitted that respondents 4 and 5 on the basis of forged documents obtained false subdivisions namely, S.Nos.682B/1B and 682B/1C in respect of his property and also obtained patta in their favour. Hence, the petitioner made representation to the Official respondents seeking to cancel the pattas issued in favour of the respondents 4



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and 5 and

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since the same was not considered, filed this writ petition. However, during the pendency of this writ petition, his representation was considered and the Tahsildar passed order in favour of the petitioner on 30.06.2015. Hence, no further adjudication is necessary in this writ petition.

4.This Court perused the cause list of this Court dated 02.08.2021 produced by the learned counsel appearing for the petitioner for perusal of this Court and it reflected W.P.No.12689 of 2011 as the case number and 'SRS Fly Ash Bricks Vs. Union of India and two others' as parties. Hence, this Court is inclined to recall the order dated 02.08.2021 passed in this writ petition.

5.Accordingly, the order dated 02.08.2021 passed by this Court in W.P.No.12689 of 2014 is *suo motu* recalled.

6.The submission made by the learned counsel appearing for the petitioner reveals that the relief sought for in this writ petition has become infructuous.



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M.DHANDAPANI,J.
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7.In view of the above, no further adjudication is necessary in this writ petition and this writ petition is dismissed as infructuous.
No costs.

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

- 1.The Revenue Divisional Officer,
Mettur Dam – 636 401.
Salem District.
- 2.The Tahsildar,
Mettur Dam – 636 401.
Salem District.

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