



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

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W.A(MD)No.826 of 2011

I.Perumalsamy

... Appellant/Petitioner

vs.

1.The District Collector,
Theni District,
Theni.

2.The Assistant Commissioner,
Land Reforms,
Madurai.

3.The Special Revenue Inspector,
Land Reforms,
Theni.

4.The Sub-Inspector of Police,
Kadamalaikundu Police Station,
Kadamalaikundu,
Theni District.

5.N.Adhimoolam

... Respondents/Respondents

Appeal filed under Clause 15 of Letters Patent, against the order dated 01.04.2011 in W.P(MD)No.13367 of 2009.

Prayer in WP(MD). 13367 of 2009 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court may be pleased to issue a writ, order or direction or any other writ in the nature of a WRIT OF CERTIORARIFIED MANDAMUS calling for the records relating to the impugned memorandum dated 19.2.2009 bearing Na.Ka.No.2318/08-b1 issued by the 2nd respondent and quash the same and consequently direct the respondents 1 to 4 to take steps in accordance with law to hand over possession of the assigned land measuring 1.25 acres in Sr.No.502/1 in Mayiladuparai village, Andipatti Taluk, Theni District.

For Appellant : Mr.T.Lajapathi Roy

For R1 to R4 : Mr.J.K.Jeyaseelan, Government Advocate

For R5 : Mr.Karthick Raja for M/s.Ajmal Associates



JUDGMENT

R.SUBRAMANIAN, J.
AND
N.SATHISH KUMAR, J.

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The learned counsel for the appellant would submit that the writ appeal itself has become infructuous, since the appellant has already launched the civil proceedings.

2. Hence, the Writ Appeal is dismissed as having become infructuous, without prejudice to the contentions of the appellant before the Civil Court. The findings recorded by the Writ Court will not stand in the way of the Civil Court deciding the civil litigation on its own merits. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The District Collector,
Theni District, Theni.
- 2.The Assistant Commissioner,
Land Reforms, Madurai.
- 3.The Special Revenue Inspector,
Land Reforms, Theni.
- 4.The Sub-Inspector of Police,
Kadamalaikundu Police Station,
Kadamalaikundu, Theni District.

+1 CC to M/s. Mr.Karthick Raja (AJMAL ASSOCIATES), Advocate
(SR-14034[F] dated 24/03/2022)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-14357[F]
dated 24/03/2022)

+1 CC to M/s.SPL GP (SR-14310[F] dated 24/03/2022)

JUDGMENT MADE IN
W.A(MD)No.826 of 2011
DATED : 23.03.2022