



W.P.(MD) No.19412 of 2013

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2022

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.19412 of 2013
and
M.P.(MD) Nos.2 and 3 of 2013**

1.N.Kanishkar Nagalingam

2.N.Harshar Nagalingam

... Petitioners

/vs./

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

3.The Tahsildar,
Virudhunagar Taluk,
Virudhunagar.

4.R.Padmanabhan

5.R.Rajeswari

6.M.Narmatha Devi

... Respondents



W.P.(MD) No.19412 of 2013

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the Order passed by the 2nd Respondent herein in his proceedings in Pa.Mu.Aa. 1//5974/2012 dated 30.04.2013 and quash the same and further direct the 2nd and 3rd Respondents herein to restore the patta of the land to an extent of 0.08.55 (24.786 cents) in S.No.16/2B, Pelampatti Village, Virudhunagar Taluk, Virudhunagar district in the name of the petitioners within the time stipulated by this Court.

For Petitioners : Mr.V.Meenakshi Sundaram for
Mr.D.Nallathambi

For R1 to R3 : Mrs.D.Farjana Ghoushia
Special Government Pleader

For R4 : No appearance

ORDER

The instant writ petition has been filed challenging the impugned order passed by the second respondent made in Pa.Mu.Aa.1/5974/2012 dated 30.04.2013.

2.Heard Mr.V.Meenakshi Sundaram, learned counsel for Mr.D.Nallathambi, learned counsel for the petitioners and Mrs.D.Farjana Ghoushia, learned Special



W.P.(MD) No.19412 of 2013

Government Pleader for the respondents 1 to 3. Even though the fourth respondent is served, he has not appeared either in person or through a counsel. The notice sent to the respondents 5 and 6 has been returned with an endorsement un-served for want of sufficient address. Their appearance in this present writ petition is dispensed with, as the prayer in this writ petition is already covered in an earlier writ petition passed in W.P.(MD) No.13892 of 2013, wherein this Court had set aside the order impugned and had remitted the matter back to the first respondent therein.

3.The claim of the petitioners is that the fourth respondent herein is the vendor of the property and that the patta has been wrongly given to him. In W.P. (MD) No.13892 of 2013, this Court had set aside the very same impugned order and had remitted the matter back to the file of the second respondent herein, who shall after hearing the parties concerned, namely the petitioner and the respondents 3 to 5 therein pass appropriate orders on merits and in accordance with law. The first respondent therein was also directed to consider the judgment and decree made in O.S.No.245 of 1989 and O.S.No.58 of 1998 and the consequential proceedings therein as expeditiously as possible.



WEB COPY



W.P.(MD) No.19412 of 2013

K.KUMARESH BABU, J.

mm

4.The Writ Petition is disposed of in the same terms. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Speaking : Yes / No
Non Speaking : Yes / No
mm

12.12.2022

To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.
- 3.The Tahsildar,
Virudhunagar Taluk,
Virudhunagar.

W.P.(MD) No.19412 of 2013