



W.P.No.1366 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.1366 of 2023

M.Abaranji

.. Petitioner

VS

1. The District Revenue Officer
Collectorate, Tiruvallur District.

2. The Revenue Divisional Officer
Revenue Divisional Office
Ponneri Divisional
Thiruvallur District.

3. The Tahsildar
Gummidipoondi Taluk
Thiruvallur District.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to take action on petitioner's representation dated 08.07.2019 and 22.07.2019 given to the third respondent and direct the first respondent to consider the recommendation made by the third respondent in Na.Ka.919/2019/A1 dated 09.03.2022 through second respondent.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.P.Sathish
Additional Government Pleader



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ORDER

The prayer sought for herein is for a writ of Mandamus, directing the first respondent to take action on the petitioner's representation dated 08.07.2019 and 22.07.2019, given to the third respondent and direct the first respondent to consider the recommendation made by the third respondent in Na.Ka.919/2019/A1 dated 09.03.2022 through second respondent.

2. The petitioner had given two representation dated 08.07.2019 and 22.07.2019 with regard to the transfer of patta in the name of the petitioner, in respect of the property in question. The said representations, since had not been considered, the petitioner already have filed a writ petition in W.P.No.26693 of 2019, where, the prayer was to issue a writ of mandamus to direct the respondent herein to pass orders on the representations of the petitioner dated 08.07.2019 and 22.07.2019 and conduct an enquiry under the Patta Passbook Act.

3. When the said writ petition came up for hearing on 20.11.2019, the learned Judge, who heard the matter, has passed the following orders:



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“ The Representations of the petitioner dated 08.07.2019 and 22.07.2019 for transfer of patta have been taken up for consideration by the Tahsildar, Gummidipoondi. Enquiry report and proposal have been sent to the District Revenue Officer office through the Revenue Divisional Officer, Ponneri. Pursuant to that, mutation of revenue records has also been effected in respect of two items.

2. In view of the above action taken by the respondent, nothing survives in this writ petition and the same is disposed of. No costs.”

4. Therefore, since the petitioner has accomplished the prayer, the representations, made two times, having been considered and enquiry was conducted by the Tahsildar and a report was forwarded to the District Revenue Officer through Revenue Divisional Officer and the District Revenue Officer has also taken note of it and passed orders for mutation and mutation has also been taken effect, which has also been recorded by the learned Judge. When that being so, the present writ petition, once again is filed by the petitioner with the same prayer. Already the prayer is a writ of Mandamus, directing the first respondent to take action on the petitioner's representation dated 08.07.2019 and 22.07.2019 given to the second and third respondent and to direct the first respondent to consider the recommendations made by the third respondent was made and it was



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considered.

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5. What has been agitated already by the petitioner, that has been recorded in the earlier order passed by this Court, once again, the petitioner wants to reagitate with the same prayer. Therefore, this Court feels that, it is nothing but abuse of process of law. Hence, for the above said reason alone, this writ petition is liable to be rejected, accordingly, it is dismissed. There shall be no order as to costs.

20.01.2023

Index: Yes/No

Neutral Citation: Yes/No

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To

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R. SURESH KUMAR, J.

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