



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17171 of 2013

and

M.P.No.1 of 2013

Lakshmi

... Petitioner

Vs.

1.The District Revenue Officer,
Salem District, Salem.

2.The Revenue Divisional Officer,
Sankari Taluk Office, Sankari,
Salem District.

3.The Thasildar,
Edapaddy Taluk Office, Edapaddy,
Salem District.

4.Periyandachi Amman Koil, Iruppali Post,
Edapady Taluk, Salem District,
Rep. by its Trustee S.Kandasamy
S/o Sadayappa Pandaram,
1/44-A, Iruppali and Post, Edapady Taluk,
Salem District.

... Respondents

[R4 impleaded vide order dated 18.08.2020 made in
MP.1 of 2014 in WP.No.17171 of 2013]



W.P.No.17171 of

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the Na.Ka.No.41782/2013/G1 dated 18.01.2013 passed by the 1st respondent and quash the same and consequentially direct the respondents 1 & 3 to conduct de-novo enquiry after affording opportunity to the petitioner

For Petitioner : Mr.R.Marudhachalamurthy

For R1 to R3 : Mr.E.Sundaram
Government Advocate

For R4 : Mr.M.Ramalingam

ORDER

The order passed by the District Revenue Officer in proceedings dated 18.01.2013 cancelling the patta granted originally in the name of the husband of the petitioner is under challenge in the present writ petition.

2. The learned counsel for the petitioner made a submission that the petitioner died.



WEB COPY

3. However, the learned Government Advocate appearing on behalf of the State brought to the notice of this Court that the subject land is classified as 'Tharisu' and the said land is left for the usage of the 4th respondent / Temple. Pertinently, the 3rd respondent in his counter has stated that the petitioner's husband was working as Village Assistant from the year 1982. During that period the said Narayanan the petitioner's husband had manipulated the records and created patta in his favour to the land, which belonged to Periyandachi Amman Kovil, which has been classified as 'tharisu' in the revenue records.

4. In view of the fact that the land has been classified as Tharisu and an allegation of manipulation of records stated by the Tahsildar in his counter, the petitioner cannot seek the relief. Since the petitioner had died during the pendency of the writ petition, this Court is unable to deal with the case on merits. If at all the legal heirs of the petitioner are able to establish their title or ownership, they are at liberty to approach the Revenue Authorities or the Civil Court of Law as the case may be.



5. Accordingly, this Writ Petition stands disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

WEB COPY

11.09.2023

Jeni

Index : Yes

Speaking order

Neutral Citation : Yes

To

1.The District Revenue Officer,
Salem District, Salem.

2.The Revenue Divisional Officer,
Sankari Taluk Office, Sankari,
Salem District.

3.The Thasildar,
Edapaddy Taluk Office, Edapaddy,
Salem District.



WEB COPY



W.P.No.17171 of

S.M.SUBRAMANIAM, J.

Jeni

W.P.No.17171 of 2013

11.09.2023