



W.A.No.2279 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.09.2023

Coram

The Hon'ble Mr.Justice **D.Krishnakumar**

&

The Hon'ble Mr.Justice **P.B.Balaji**

W.A.No.2279 of 2005

M.Swaminathan

...Appellant

Vs.

1. The Authorized Officer,
and Special Collector,
(Revenue Court)
Kumbakkonam.
2. The State of Tamil Nadu rep. by its
Secretary, Revenue Department,
Fort. St. George, Chennai – 9
3. Govindaraj
4. Paneerselvam
5. Chandrasekaran
6. Pattaiyan
7. Mutthaiyan
8. Guruswami
9. Veerapandian
10. Thangavelu
11. Manoharan
12. Selvaraj
13. Chinnathambi
14. Rajagopal
15. Kalyani



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16. Arumugam

17. Sellakanna

... Respondents 4 & 5 deleted vide order

dated 27.07.2016, made in this Appeal

... Respondents

Writ Appeal filed under clause 15 of the Letters Patent to set aside
the order passed in W.P.No.9484 of 1995, dated 08.08.2005.

For Appellants : Mr.T.R.Rajaraman

For Respondents 1 and 2 : Mrs.P.Rajeswari

Government Advocate

For Respondents 4 & 5 : Deleted vide order dt.27.07.2016

Respondents, 3, 9 to 11

15 to 17 : No appearance

Respondents 6 to 8, 12 to 14 : Died

ORDER

When the Writ Appeal is taken up for hearing today, learned counsel for the appellant submitted that he has not received any instructions from the appellant and as such, he is not able to proceed with the case, and therefore, prayed for appropriate orders.

2. Since it is reported by the learned counsel appearing for the petitioner that no instructions has been received from his client (appellant), and taking into consideration of the fact that the Appeal has



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not been pursued since 2018, as could be seen from the docket orders of this Appeal, it could be deduced that the appellant is not interested to prosecute the Appeal. Further, the challenge made herein is with regard the Constitutional Validity of the Schedule appended to the Tamil Nadu Occupants of Kudiyiruppu (Conferment of Ownership) Act, 1971, and by efflux of time, law would have taken its course, hence, we are of the view that no useful purpose would be served by keeping the matter pending for more than a decade. Accordingly, we dismiss this Writ Appeal as infructuous. No costs.

D.K.K.J. & P.B.B.J.,
21.09.2023

sd

To

1. The Authorized Officer,
and Special Collector,
(Revenue Court)
Kumbakkonam.
2. The State of Tamil Nadu rep. by its
Secretary, Revenue Department,
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**D.Krishnakumar,J.
&
P.B.Balaji,J.,**

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