



W.P.No.39887 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.39887 of 2015
and
M.P.Nos.1 and 2 of 2015

S.Kavitha

... Petitioner

versus

1. District Revenue Officer/Appellate Authority,
Under the Project for Development of Registration,
of Land Records,
Nagapattinam, Nagapattinam District.

2. Subbulakshmi

3. Rajalakshmi

...Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari call for the records in pursuant to the impugned order issued by the 1st respondent in Proceedings Ni.Mu.No.17051/2015/A4, dated 27.11.2015 and quash the same.

For Petitioner : Mr.R.Prem Narayan

Pg.Nos.1/5



W.P.No.39887 of 2015

For Respondents : Mr.V.Veluchamy
Additional Government Pleader for R1
Mr.R.Y.George Williams for R2 and R3

ORDER

This Writ Petition has been filed to quash the impugned order issued by the 1st respondent in Proceedings Ni.Mu.No.17051/2015/A4, dated 27.11.2015.

2. The main grievance of the petitioner is that the first respondent in connivance with respondents 2 and 3 has passed the impugned order granting joint patta in favour of the petitioner as well as respondents 2 and 3 passed, during the pendency of the civil suit in O.S.No.206 of 2013 on the file of the District Munsif Court, Nagapattinam.

3. Today, when the matter is taken up for hearing, the learned counsel for petitioner himself admitted that the said suit itself was disposed of and hence, nothing survives for adjudication in this writ petition and the writ



W.P.No.39887 of 2015

petition may be dismissed by giving liberty to the petitioner to work out his remedy in the manner known to law.

4. The learned counsel appearing for respondents 2 and 3 (private respondents) submitted that the second respondent is aged about 90 years, and the petitioner is filing petition after petition in different fora and hence, the present writ petition may be dismissed with exemplary cost.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Admittedly, the writ petitioner challenged the impugned order dated 27.11.2015. During the pendency of the Writ Petition, the civil suit in O.S.No.206 of 2013 filed by the writ petitioner was disposed of. The petitioner also filed suit in O.S.No.94 of 2013 on the file of the District Munsif Court, Nagapattinam against the private respondents herein. In the said suit compromise decree was passed on 30.04.2013. There was some dispute in that regard, an application in I.A.S.R.No.3505 of 2013 filed for



W.P.No.39887 of 2015

re-opening the case was dismissed. Thereafter, the private respondents approached this Court in C.R.P.(PD).No.2743 of 2016 and this Court by an order dated 30.11.2021, allowed the same and recommended for giving complaint to Bar Council of Tamil Nadu.

7. Under these circumstances, the writ petitioner is not entitled to get any relief as prayed for in the Writ Petition. Hence, this Writ Petition is dismissed with costs of Rs.25,000/- (Rupees twenty five thousand) to be paid by the petitioner to respondents 2 and 3. Consequently, connected miscellaneous petitions are closed.

10.11.2023

Speaking/Non-speaking order

Index:Yes/No

Neutral citation : Yes/No

ms

To
The District Revenue Officer/Appellate Authority,
Under the Project for Development of Registration,
of Land Records,
Nagapattinam, Nagapattinam District.

Pg.Nos.4/5



WEB COPY



W.P.No.39887 of 2015

P.VELMURUGAN, J.

ms

W.P.No.39887 of 2015

10.11.2023

Pg.Nos.5/5