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W.A.No.2021 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.A.No.2021 of 2023

K.K.SUKUMARAN (DECEASED)

1. VIJAYALAKSHMI
2. KAKUTH KARTHIKEYAN

.. Appellants

Vs

1. THE EXECUTIVE ENGINEER
TANGEDCO , TNEB
Seeranaicken Palayam
Coimbatore North Distribution
Coimbatore-7.
2. THE JUNIOR ENGINEER
TNEB, Ajjaanur Division
Vedapattai
Coimbatore North Distribution
Coimbatore-7.
3. KAVITHA
4. NAVEEN VENKATRAMAN

.. Respondents

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 09.03.2023 passed by the learned Single Judge in W.P.No.14562 of 2017.



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For the Appellants : Mr.E.P.Senniyangiri
For the Respondents : Mr.L.Jaivenkatesh
for respondents 1 and 2

JUDGMENT
(Delivered by the Hon'ble Chief Justice)

We have heard Mr.E.P.Senniyangiri, learned counsel for the appellants and Mr.L.Jaivenkatesh, learned counsel for respondents 1 and 2.

2. Learned counsel for the appellants submits that the order passed by the District Revenue Officer was relied upon while passing the impugned order. The same is set aside subsequently.

3. The learned Single Judge has observed that the appellants as well as the third respondent are claiming their rights over the writ property.

4. According to the report of respondents 1 and 2, at present,



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nobody is residing in the writ property and the same is vacant.

5. Learned counsel for the appellants, on instructions, submits that the appellants be given liberty to avail the appropriate remedy.

6. The learned Single Judge has also not decided the matter on merits. The liberty has been kept open to the parties. The appellants may avail the remedy as has been observed by the learned Single Judge or any other remedy available to them under law.

The appeal is disposed of accordingly. There will be no order as to costs. Consequently, C.M.P.No.17152 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
sasi



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To

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THE HON'BLE CHIEF JUSTICE
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(sasi)

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