



W.A.No.1236 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2023

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P. B.BALAJI

W.A.No.1236 of 2017 and

CMP No.17206 of 2017

1. Lakshmiammal
2. Vimala
3. Arunagiri
4. Gopalakrishnan
5. Shankunthala
6. Jogan
7. Kanchanamala
8. J.Sangeetha
9. J.Kousalya Devi

... Appellants

Vs.

1. The Tahsildar, Kudah Revenue Village,
Kundah, The Nilgiris.
2. B.Dasaradhan
3. B.Munusamy
4. R.Sekar

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed by this Court in W.P.No.13972 of 2004 dated 30.06.2017.



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For Appellants : Mr.Bagavath Krishnan
for Mr.T.K.Bhaskar

For Respondents : Mr.U.M.Ravichandran,
Special Government Pleader for R1

JUDGEMENT

(Judgment of the Court was delivered by D.KRISHNAKUMAR, J.)

This Intra Court Appeal has been filed by the writ petitioners to quash the orders passed by the learned single Judge in W.P.No.13972 of 2004 dated 30.06.2017, whereby the Writ Court has observed that the parties are at liberty to resolve the dispute through the civil court and take appropriate action in this regard.

2. A perusal of the records shows that in this writ appeal, notice was ordered on 27.09.2017. Thereafter, on 08.07.2021, when the matter was listed for hearing, there was no representation for the appellant. Subsequently, fresh notice to the respondents was ordered on 11.11.2022. However, when the matter was listed on 22.06.2023 service of notice to the respondents was not completed. Further, on 10.07.2023, the appellants were directed to take steps to serve notice to the respondents 2 to 5 and the



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matter was directed to be listed on 08.08.2023. Today also, service was not completed and no steps have been taken to service notice to the respondents 2 to 4.

3. Considering the above, we are of the view that the appellants are not interested in prosecuting the case and hence, we are not inclined to entertain this writ appeal.

4. Accordingly, this writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(D.K.K.J.) (P.B.B.J.)
08.08.2023

Internet: Yes/No
Index : Yes/No
mst

To

1. The Tahsildar, Kudah Revenue Village,
Kundah, The nilgiris.



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D.KRISHNAKUMAR, J.

and

P. B.BALAJI, J.

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