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WMP.No.31990 of 2022

WMP.No.31990 of 2022
in
W.P.No.21873 of 2022

M.DHANDAPANI., J.

The present Miscellaneous petition has been filed seeking to grant leave to file an application to recall the order of this Court dated 26.08.2022 made in W.P.No.21873 of 2022.

2. Learned counsel appearing for the petitioner herein submitted that, already the petitioner herein filed a Suit as against the 1st respondent in O.S.No.311 of 2021 on the file of the Principal District Court, Salem, seeking to declare the sale deeds dated 19.09.2013 and 04.01.2018 as null and void and for a further relief of Partition against the 1st respondent herein, in which an exparte order came to be passed on 16.09.2022. While so, suppressing all the above said facts, the 1st respondent herein filed the Writ petition in W.P.No.21873 of 2022 and obtained a order dated 26.08.2022. Hence, this petition.

3. A perusal of the earlier order dated 26.08.2022, it is evident that, this Court has not issued any positive direction in favour of the 1st respondent herein and only a general direction was issued to the 2nd



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respondent to pass orders on the 1st respondent's representation.

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4. If at all the petitioner herein is aggrieved, the remedy available to the petitioner is to approach the concerned Tahsildar by way of filing appropriate objection.

5. In view of the above, this Miscellaneous petition is disposed of, with a liberty to the petitioner to workout the remedy in the manner known to law.

30.03.2023

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