



W.A.No.1120 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE P.B. BALAJI

W.A.No.1120 of 2019

Arulmigu Seetharama

... Appellant

versus

1.The Special Tahsildar
Urban Settlement
Gudiyatham - 632 602.

2.Sampath

3.Balu

4.Gudiyatham Municipality,
Represented by its Commissioner,
Gudiyatham - 632 602.

5.The Commissioner,
HR & CE Department,
Uthamar Gandhi Road,
Chennai- 600 034.

6.The Joint Commissioner,
HR & CE Department,
Vellore,
Vellore District.

... Respondents

1/6



W.A.No.1120 of 2019

PRAYER: Writ Appeal filed under Clause 15 of the Letter Patent against the order dated 17.09.2018 in W.P. No.10245 of 2017.

For Appellant	: Mr.K.Krishnan for Mr.A.V.Ilango
For Respondents	: Mr.U.M.Ravichandran Special Government Pleader for respondents 1 and 4 Mr.D.Rajagopal for K.A.Ravindran for respondents 2 and 3 Mr.Yashwanth Additional Government Pleader HR & CE for respondents 5 and 6

JUDGMENT

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

The appeal has been preferred challenging the order dated 17.09.2018, passed by the Writ Court in W.P. No.10245 of 2017.

2. The appellant/petitioner has filed the writ petition for a direction to the first respondent not to proceed further in the matter pursuant to the petition of the respondents 2 and 3 based on the judgment and decree in O.S.No.114 of 2016 dated 27.01.2017 on the file of the District Munsif Court.



W.A.No.1120 of 2019

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3. After hearing the parties, the writ court disposed of the said writ petition and directed the first respondent to consider the petition filed by the respondent 2 and 3 namely the private respondents, if it is pending and pass appropriate orders on merits and in accordance with law and also in the light of the aforesaid civil court decree, after affording opportunity to the appellant/petitioner, respondents 2 and 3 as well as any other necessary parties, within a period of six weeks. Aggreived by the said order passed by the Writ Court dated 17.09.2018, the appellant has preferred the present intra court appeal before this Court.

4. Mr.K.A.Ravindran, learned counsel for the private respondents namely respondent Nos. 2 and 3, brought to the notice of this Court that in compliance to the order passed by the Writ Court, the first respondent has granted patta on 02.04.2019 and a copy of the said patta has also been enclosed in the typed set of papers filed by the respondent Nos. 2 and 3.



W.A.No.1120 of 2019

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5. In view of the aforesaid statement made by the learned counsel for the private respondents and also copy of the patta being enclosed in the typed set of papers by the respondent Nos. 2 and 3, no further adjudication is required. It is open to the appellant, if aggrieved, to agitate the matter before the appropriate forum.

6. With the above liberty, the writ appeal stands dismissed. There will be no order as to costs. Consequently, C.M.P.No.8049 of 2019, is closed.

[D.K.K., J.] [P.B.B., J.]
22.08.2023

Index : Yes/No
Neutral Citation : Yes/No
mrn



W.A.No.1120 of 2019

To

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W.A.No.1120 of 2019

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