

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.18434/2013 &
MP(MD)No.1/2013

P.Vellaiya Thevar

...Petitioner

Vs

1.The Thasildar,
Nilakottai Taluk,
Dindigul District

2.The Zonal Deputy Thasildar,
Nilakottai Taluk,
Dindigul District.

3.The Village Administrative Officer,
Noothalapuram Group,
Nilakottai Taluk,
Dindigul District.

4.Muthammal
5.Palaniammal
6.Murugan
7.Ramesh
8.Alagurani

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order in RTR.2006/13 dated 13.06.2013 passed by the second respondent and quash the same as arbitrary and illegal and consequently direct the respondents to restore the name of the petitioner in the revenue records comprised in S.No.469/2, measuring an extent of 20.00 ares situated at Noothalapuram Village, Nilakottai Taluk, Dindigul District.

For Petitioner : No appearance

For Respondents : Mr.J.K.Jayaselan,
Government Advocate
for R1 to R3

Mr.J.Barathan
for R4, R6 to R8

No appearance for R5

ORDER

This Writ Petition is filed by one Vellaiya Thevar against the orders passed by the second respondent in RTR.No.2006/13 dated 13.06.2013.

2. No representation for the petitioner.

3. The learned counsel appearing for the respondents 4, 6 to 8 submits that he has returned the papers to his clients.

4. The learned Government Advocate appearing for the respondents 1 to 3, produced the written instructions received from the Tahsildar, Nilakottai in Na.Ka.No.276/2022/Aa5 dated 10.03.2023 stating that the petitioner Vellaiya Thevar died on 12.03.2014 at Kulathuppatti Village. The petitioner is having four legal heirs. Pechiyammal, wife of the petitioner, is one of the legal heirs who died prior to the petitioner. As of now, the petitioner is having three legal heirs namely, Seenivasan, Kasimayan and Ilangovan. The petitioner's grandson namely, Kathiravan son of Kasimayan, has purchased a portion of the property from the respondents 4 to 8 by way of a registered sale deed in Document no.1177/2014. Similarly, the petitioner's grandsons namely, Bharathiraja and Karthikeyan, sons of Seenivasan, have purchased a portion of the property from the respondents 4 to 8 by way of a registered sale deed in Document no.1178/2014 and pursuant to that, the patta now stands in the names of the grandsons of this petitioner.

5. As per the written instructions of the Tahsildar, Nilakottai, placed before this Court, the patta stands in the names of Kathiravan, Bharathiraja and Karthikeyan, who are the grandsons of this petitioner. Therefore, this writ petition is closed as no further orders are required to be passed in this petition. However, if the legal heirs are having any grievance in this issue, it is always open to them to approach the civil court in the manner known to law. No costs. Consequently, the connected Miscellaneous Petition is closed.

13.03.2023

NCC: Yes / No
Index :Yes / No
Speaking Order : Yes / No

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To

- 1.The Thasildar,
Nilakottai Taluk,
Dindigul District
- 2.The Zonal Deputy Thasildar,
Nilakottai Taluk,
Dindigul District.
- 3.The Village Administrative Officer,
Noothalapuram Group,
Nilakottai Taluk,
Dindigul District.

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B.PUGALENDHI, J.

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