



W.P.(MD).No.8456 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:31.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P.(MD).No.8456 of 2014
M.P(MD).Nos.1 to 3 of 2014

- 1.Jameela Bi
- 2.Dr.Mubarak Ali
- 3.Dr.Jaffer Ali
- 4.Firoza Faruk
- 5.Farzana Umar

... Petitioners

Vs.

- 1.The Corporation Commissioner,
Tiruchirapalli City Corporation,
Trichy Cantonment,
Trichy-1.
- 2.The Assistant Commissioner,
Ariyamangalam Zone,
Tiruchirapalli City Corporation,
Trichy Cantonment,
Trichy-1.
- 3.The Thasildar (East),
Trichy Town Hall,
Trichy.
- 4.The Zonal Deputy Thasildar,
Ariyamangalam Zone,
Trichy Corporation,



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Trichy Cantonment

Trichy.

5.The Sub-Registrar,
K.Sathanur,
Trichy.

6.The Commissioner of Police,
Subramaniapuram,
Trichy.

7.The Inspector of Police,
Trichy Cantonment Police Station,
Trichy.

8.S.Velmurugan

9.S.Baskaran

10.Mahendran

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the fifth respondent from in any manner releasing the two Sale Deeds dated 18.10.2013 numbered as pending registration Document Nos.4324 and 4325 of 2013 executed in favour of the respondents 8 to 10 in respect of the petition mentioned property situated at Trichy District and Taluk, ayan punjai vacant land admeasuring an extent of 65 cents with a super structure in a portion admeasuring an extent of 169 sq.ft., constructed thereon with compound wall on all the four sides, comprised in Survey No.19/2A1A1 and Town Survey No.2/6, Kottapattu Village, Tiruchirappalli District, within the



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Corporation limits of Trichy and Sub Registration District of K.Sathanur on the basis of fraudulent flow of title deeds and consequently, direct the third respondent to delete the names of the respondents 8 to 10 from the Town Survey filed Register pertaining to Petition Mentioned Property situated at Trichy District and Taluk, ayan punjai vacant land admeasuring an extent of 65 cents with a superstructure in a portion admeasuring an extent of 169 sq.ft., constructed thereon with compound wall on all the four sides, comprised in Survey No.19/2A1A1 and Town Survey No.2/6, Kottapattu Village, Tiruchirappalli District, within the Corporation limits of Trichy and Sub Registration District of K.Sathanur, Trichy.

For Petitioner : Mr.D.Kirubakaran
for Mr.R.Abdul Mubeen

For Respondents : Mr.G.V.Vairom Santhosh
Additional Government Pleader
for R1 to R5
Mr.B.Thanga Aravindh
Government Advocate
(Criminal side) for R6 and R7
No-appearance for R8 to R10

ORDER

This Writ Petition has been filed seeking Mandamus to forbear the fifth respondent from releasing the sale deeds dated 18.10.2013 which were registered as Document Nos.4324 and 4325 of 2013 executed in favour of the respondents 8 to 10 and direct the third respondent to delete



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the names of the respondents 8 to 10 from the Town Survey Field Register pertaining to the petition mentioned property situated in Survey No.19/2A1A1 and Town Survey No.2/6, Kottapattu Village, Tiruchirappalli District.

2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner fairly submits that with regard to the first limb of relief (i.e.,) releasing of sale deeds, dated 18.10.2013, which were registered as Document Nos.4324 and 4325 of 2013, the fifth respondent has released the sale deeds in favour of the respondents 8 to 10 and therefore, the first portion of the relief becomes infructuous. With regard to second portion of the relief as sought for in the present writ petition, the learned counsel appearing for the petitioner submits that the third respondent, namely, the Thasildhar (East), Trichy Town Hall, Trichy, has removed the names of the petitioner, without providing an opportunity of hearing to him and therefore, the petitioner has filed the present writ petition and also filed an appeal under the Tamil Nadu Patta Passbook Act, 1983, before the Revenue Divisional Officer, Trichy District, in Na.Ka.No.A7/258/2014. In view of pendency of the present



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writ petition, the Revenue Divisional Officer has not proceeded with the appeal which has been pending.

3. Since the petitioner has already filed a statutory appeal before the Revenue Divisional Officer and the same is pending for the past nine years, this Writ Petition is disposed of, with a direction to the Revenue Divisional Officer, Trichy District, to conclude the proceedings in Na.Ka.No.A7/258/2014 as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order, by providing an opportunity of hearing to the petitioner and the other claimants, if any. There shall be no order as to costs. Connected miscellaneous petitions are closed.

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Index: Yes/No
Internet: Yes/No
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