



W.P(MD)No.11809 of 2014

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.11809 of 2014 and
MP(MD) No.1 of 2014

Vallie

...Petitioner

Vs.

1.The District Collector,
Collector Office,
Madurai District.

2.The District Revenue Officer,
Collector Office,
Madurai District.

3.The Revenue Divisional Officer,
Collector Office,
Madurai District.

4.The Tahsildar,
Tahsildar Office,
Melur,
Madurai District.

5.M.Thannakutti

...Respondents



W.P(MD)No.11809 of 2014

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent in Na.Ka.No.4664/2005 K, dated 16.08.2005 and quash the same as illegal and consequently direct the respondent 1 to 4 herein to use the land Old Survey No.279/1A to the extent of 0.60 Hectors and New Survey No.279/4 to the extent of 0.17 hectors at Keeranoor Village, Melur Taluk, Madurai District for public purpose alone and not to use the same for any other purpose.

For Petitioner	: No appearance
For R1 to R4	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R4	: No appearance

ORDER

Alleging that the land in Survey No.279/1A and New Survey No.279/4, which has been assigned to the fifth respondent by order impugned in this writ petition is a pathway to a burial ground, this writ petition is filed.



W.P(MD)No.11809 of 2014

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2. When this writ petition was taken up for hearing on 02.06.2023, there was no representation for the petitioner. The learned counsel for the petitioner has filed a memo stating that he is not in a position to contact the petitioner. Therefore, this case was listed in the name of the petitioner on 12.06.2023. Even then, there was no representation for the petitioner. This Court, by earlier order dated 13.06.2023 directed the learned Additional Government Pleader to serve notice to the petitioner.

3. The learned Additional Government Pleader appearing for the respondents 1 to 4 submits that the listing of this writ petition before this Court on 22.06.2023 has been intimated to the petitioner by the respondents. However, the petitioner, namely, Valli has given a statement that she is not intending to prosecute this writ petition further. The statement of the petitioner along with the photograph for service of notice to the petitioner have been produced before this Court. The learned Additional Government Pleader has also produced the photographs of the land in 279/1A and New Survey



W.P(MD)No.11809 of 2014

WEB COPY

No.279/4, showing that the land is still lying as a vacant and it is not a pathway to the burial ground as claimed by the petitioner.

4.Recording the submissions made by the learned Additional Government Pleader and appreciating the efforts taken by the respondents, this writ petition is dismissed with a cost of Rs.5,000/-, which shall be recovered from the petitioner by the respondents under the Revenue Recovery Act, 1890 and the same shall be utilized for the welfare activities of the Taluk. No costs. Consequently, connected Miscellaneous Petition is closed.

22.06.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

vrn



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B.PUGALENDHI, J.

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W.P(MD)No.11809 of 2014 and
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22.06.2023