



WP (MD) No.12842 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 20.04.2023

CORAM:

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

WP (MD) No.12842 of 2014

Mohideen Fakir
represented through his power agent
M.Mohammed Mahruf ... Petitioner

Vs

- 1.The District Collector,
Ramanathapuram District Collectorate,
Ramanathapuram.
- 2.The District Revenue Officer,
Ramanathapuram District Collectorate,
Ramanathapuram.
- 3.The Tahsildar,
Adi Dravidar Welfare,
Ramanathapuram,
Ramanathapuram District.
- 4.Gandhi
- 5.Rajalakshmi
- 6.R.Thangaraj
- 7.Packiaraj
- 8.R.Doss
- 9.Valavanthi



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10.R.Balu

11.R.Subbiah

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records of the impugned pattas issued by the 3rd respondent to respondents 4 to 11 in his proceedings in Na.Ka.A.51 of 1990 in Plot No.35, 118, 121, 122, 123, 124, 126 and 128 dated 06.07.1991, 27.04.1992, 08.06.1992, 09.06.1992, 09.06.1992, 09.06.1992, 09.06.1992, 09.11.1993 respectively and quash the same and consequently issue the patta in favour of the petitioner.

For Petitioner : Mr.Muthukamatchi

For Respondent : Mr.GV.Vairam Santhosh,

Nos.1 to 3 Special Government Pleader

For Respondent : No representation

Nos.4 to 8 & 11

ORDER

This writ petition is filed as against the issuance of patta by the 3rd respondent to respondents 4 to 11 in his proceedings in Na.Ka.A.51 of 1990 in Plot Nos.35, 118, 121, 122, 123, 124, 126 and 128 dated 06.07.1991, 27.04.1992, 08.06.1992, 09.06.1992, 09.06.1992, 09.06.1992, 09.06.1992, and 09.11.1993 respectively.



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2.This writ petition has been filed by the petitioner one Mohideen Fakir through his power agent one M.Mohammed Mahruf. The case of the petitioner is that the land in Survey No.338, having an extent of 15 cents, was purchased by him from one Ellu Chettiyar through a registered sale deed dated 02.04.1986 and he subsequently sold it to one Kesavan on 19.11.2009. The said Kesavan has preferred a complaint as against him under the Land Grabbing Act and therefore, he has cancelled the sale deed dated 02.04.1986 executed in favour of Kesavan. On verification, it is found that patta has already been issued by the 3rd respondent/the Tahsildar, Ramanathapuram, in favour of respondents 4 to 11. The pattas issued by the 3rd respondent according to the learned counsel for the petitioner are bogus pattas and without following any due process of law of any acquisition proceedings and therefore, he has filed this writ petition.

3.In the earlier occasion on 20.03.2023, the learned counsel for the petitioner submitted that the petitioner is in abroad and he filed this writ petition through his power agent one M.Mohammed Mahruf, who is now no more. Therefore he requested for a short accommodation to get instructions



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in this case and to proceed with the case. Accordingly, at the request of the learned counsel for the petitioner the case was adjourned. On 30.03.2023, it was reported that the petitioner as well as the power of attorney, who has filed this writ petition, are no more and he would take steps to substitute the legal heirs of the petitioner.

4.This writ petition has been filed in the year 2014. It is reported that the petitioner and the power of attorney are no more. Therefore, no purpose would be served in keeping this writ petition any more. Therefore, this writ petition is dismissed with liberty to the legal heirs of the petitioner to revive this writ petition, if they are so advised. No costs.

20.04.2023

Internet : Yes / No

dsk



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