



**W.P(MD).No. 7084 of 2014**

**WEB COPY** BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 25.01.2023**

**CORAM**

**THE HON'BLE MR.JUSTICE K.KUMARESH BABU**

**W.P(MD)No.7084 of 2014**

**and**

**M.P(MD) Nos.1 and 2 of 2014**

1. S.N.Azarab Ali (died on 23.12.2016) .... petitioner

2. A.Yasar Arafath

3. A.Mustakilul Barakath

4. A.Assafath

5. A.Hidayath

6. A.Arahmath

..... Proposed Petitioners 2 to 6

(Petitioners No.2 to 6 are substituted vide  
order of this Court dated 25.01.2023  
in W.M.P(MD) No.326 of 2023  
in W.P(MD) No.7084 of 2014)

**- Vs-**

1. The Sub Collector Cum Appellate Authority,  
Cheranmahadevi,  
Tirunelveli District.

2. The Tahsildar,  
Radhapuram Taluk,  
Tirunelveli District.



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3. K.Ravi Abraham

4. Seetha

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the second respondent herein in his proceedings in R.T.R.10932/2012, dated 31.12.2013 and quash the same and for further direction, directing the second respondent herein to include the petitioner's name in patta No.3395 in respect of the lands in Survey Nos.1/2, 2/1A and 3/1 totally to an extent of 15 acres and 31 cents at Karaisuthuputhur Village, Radhapuram Taluk, Cheranmahadevi, Tirunelveli District within a time stipulated by this Court.

|                 |                                                                           |
|-----------------|---------------------------------------------------------------------------|
| For Petitioners | : Mr.D.Nallathambi                                                        |
| For Respondents | : Mrs.D.Farjana Ghoushia<br>Special Government Pleader<br>For R-1 and R-2 |
|                 | : Mr.J. Raghavendran<br>For R3 and R-4                                    |

### **ORDER**

The present Writ Petition has been filed seeking for a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the second respondent herein in his proceedings in R.T.R. 10932/2012, dated 31.12.2013 and quash the same and for further direction,



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directing the second respondent herein to include the petitioner's name in patta No.3395 in respect of the lands in Survey Nos.1/2, 2/1A and 3/1 totally, to an extent of 15 acres and 31 cents at Karaisuthuputhur Village, Radhapuram Taluk, Cheranmahadevi, Tirunelveli District, within a time stipulated by this Court.

2. It is submitted by the learned Counsel appearing for the respondents 3 and 4 that the legal heirs of the deceased petitioner/ newly impleaded petitioners had filed Civil Suit in O.S.No.257 of 2022 on the file of the Principal District and Sessions Court, Tirunelveli, seeking for declaration and permanent injunction with respect to the very same property involved in this Writ Petition.

3. Even in the order impugned in the Writ Petition, the petitioners were directed to approach the Civil Court for redressal of their grievances. Since the petitioners herein have already approached the Civil Court for redressal grievances by filing a civil suit for declaration and permanent injunction, no further adjudication is required to be made in this Writ Petition.



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4. Hence, this Writ Petition is closed and the petitioners are at liberty to approach the revenue authorities after conclusion of the civil proceedings. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

**25.01.2023**

NCC: Yes / No

(2/2)

Index : Yes / No

Internet : Yes / No

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To

1. The Sub Collector Cum Appellate Authority,  
Cheranmahadevi,  
Tirunelveli District.
2. The Tahsildar,  
Radhapuram Taluk,  
Tirunelveli District.



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**K.KUMARESH BABU, J.**

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Order made in  
**W.P(MD)No.7084 of 2014**

**25.01.2023**  
(2/2)