



W.P(MD)No.18136 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18136 of 2015

A.Palpandi

... Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Revenue Divisional Officer,
Periyakulam, Theni District.

3.The Tahsildar,
Andipatti Taluk,
Theni District.

4.P.Rajaram

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 to 3 issue patta in the name of the petitioner based on the petitioner's representation dated 21.09.2015 within the period that may be stipulated by this Court.

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For Petitioner : Mr.G.Sundaram

For Respondents : Mr.S.RA.Ramachandran,
Addl. Government Pleader for R1 to R3.
Mr.S.Rajasekar for R4.

ORDER

Heard the learned counsel on either side.

2.The learned counsel for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for.

3.The learned counsel for the fourth respondent pointed out that the writ petitioner had passed away long back. He also would state that the fourth respondent herein namely, Thiru.Rajaram filed O.S.No.18 of 2011 on the file of District Munsif Court, Andipatti. Palpandi was shown as the first defendant. Following his demise, his legal heirs came on record. Palpandi had also filed O.S.No.183 of 2011 on the file of District Munsif Court, Andipatti. While the suit filed by Palpandi suffered



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dismissal, the suit filed by Rajaram was decreed as prayed for. It is also stated that the decrees have not been put to challenge till date.

4.In any event, since the Civil Court had already decided the issue, the question of revenue authorities going into the matter does not arise. If any appeals are filed, the rights of the parties will abide by the outcome of the appeals.

5.With this observation, this writ petition is dismissed. No costs.

17.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Theni District, Theni.
- 2.The Revenue Divisional Officer,
Periyakulam, Theni District.
- 3.The Tahsildar,
Andipatti Taluk,
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G.R.SWAMINATHAN, J.

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