



W.P(MD)No.4778 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4778 of 2015

Selvi

... Petitioner

Vs

1.The District Revenue Officer,
Thanjavur,
Thanjavur District.

2.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

3.The Tahsildar,
Thiruvudaimaruthur Taluk,
Thanjavur District.

4.Malathi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in connection with the impugned order dated 19.01.2015 made in Tha.pa. 20/2010voo(2) on the file of the first respondent and quash the same and consequently direct the respondents 1 to 3 to abide by the outcome of the



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pending suit in O.S.No.331/2010 on the file of Principal District Munsif Court,
Kumbakonam.

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For Petitioner : No Appearance

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R.1 to R.3

Mr.R.S.Prabhu for R.4

ORDER

The learned counsel who filed this writ petition has passed away. The learned counsel appearing for the contesting respondent informs the Court that the petitioner is no more. Notice has been served on 12.08.2023. It appears that someone had put the signature in the acknowledgement card. I compared the signature found in the acknowledgement card with the one found in the vakalat. They are obviously different. I feel that the statement of the learned counsel appearing for the contesting respondent is probably correct.

2. I went through the contents of the affidavit filed in support of the writ petition and also the materials on record. If the legal heirs of the writ petitioner feel aggrieved by the impugned order, it is always open to them to file a civil suit, if it is otherwise maintainable in law. Grant of liberty would not mean that



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notwithstanding the earlier developments, a fresh cause of action had been conferred.

3. This writ petition is dismissed with the aforesaid observation and liberty. There shall be no order as to costs.

01.09.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The District Revenue Officer,
Thanjavur,
Thanjavur District.

2.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

3.The Tahsildar,
Thiruvaidaimaruthur Taluk,
Thanjavur District.

Copy to:

The Principal District Munsif Court,
Kumbakonam.



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G.R.SWAMINATHAN, J.

MGA

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