

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).Nos.16463 and 16464 of 2016
and W.M.P(MD).Nos.12023 and 12025 of 2016

C.Pandiammal

... Petitioner in both petitions

Vs.

1.The District Revenue Officer,
Madurai.

2.The Revenue Divisional Officer,
Madurai.

3.The Tahsildar,
Madurai North Taluk,
Madurai.

4.V.Banumathi

5.V.Rathi Devi

6.V.Madhumathi

7.V.Priya

8.V.Sathiya Narayanan

... Respondents in both petitions

PRAYER in W.P(MD).No.16463 of 2016: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the impugned order dated 22.08.2013 in Na.Ka.No.D3/8252/2012 passed by the third respondent and quash the same.

PRAYER in W.P(MD).No.16464 of 2016: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the impugned order dated 15.05.2016 in Ni.Mu.No.15204/2015/G5 passed by the first respondent and quash the same.

In both petitions

For Petitioner :Mr.J.Barathan

For Respondents :Mrs.D.Farjana Ghoushia
Special Government Pleader
for R1 to R3
No-appearance
for R5 to R8

COMMON ORDER

The sole petitioner passed away after the writ petitions were instituted. Learned counsel for the petitioner submits that the writ petitions may be dismissed as abated by leaving it open to the legal heirs of the petitioner to initiate appropriate proceedings if so intended.

2. Learned Special Government Pleader for the respondents 1 to 3 invited my attention to the impugned orders and pointed out that the District Revenue Officer examined the relevant revenue records and concluded that the relevant property had been recorded as the property of Thirumangalam Chathiram and that an error was committed during the UDR period. As a result of such error, she submits that the name of Thiru Velayutham was wrongly entered. Therefore, she submits that there is no error in the impugned orders and that the legal heirs of the petitioner should approach the jurisdictional civil court to assert their title.

3. In view of the above circumstances, W.P(MD).Nos.16463 and 16464 of 2016 are dismissed as abated by leaving it open to the legal heirs

to approach the civil court to establish their title over the relevant property and, on that basis, to approach the revenue authorities. There shall be no order as to costs. Consequently, connected W.M.P(MD).Nos.12023 and 12025 of 2016 are closed.

30.03.2023

NCC :Yes/No

Internet :Yes/No

Index :Yes/No

ssb

To

- 1.The District Revenue Officer,
Madurai.
- 2.The Revenue Divisional Officer,
Madurai.
- 3.The Tahsildar,
Madurai North Taluk,
Madurai.

W.P(MD).Nos.16463 and 16464 of 2016

SENTHILKUMAR RAMAMOORTHY, J.

ssb

W.P(MD).Nos.16463 and 16464 of 2016

30.03.2023