



W.P(MD)No.24755 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.24755 of 2023
and
W.M.P(MD)No.20944 of 2023**

Nv.Muthusamy

... Petitioner

vs.

1. The District Collector,
Madurai District,
Madurai.

2. The District Revenue Officer,
Madurai District,
Office of the District Collectorate,
Madurai.

3. The Revenue Divisional Officer,
Usilampatti,
Madurai District.

4. The Tahsildar,
Peraiyur Taluk, Peraiyur,
Madurai District.

5. The Sub Registrar,
Office of the Sub Registrar,
Peraiyur, Madurai District.

6. Pasupathi

7. Ganapathi

8. Subbulakshmi

9. Muniyammal



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10. Thirukkani

11. Pappa

12. Seeniyammal

13. Venkittaramani

14. Jancirani

15. Siyamala

16. Ramkumar

17. Vasanthi

18. Baskar

19. Sabarisekaran

20. Indiran

21. Sakthi

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, call for the records relating to the impugned proceedings of the 3rd respondent bearing Na.Ka.No.3861/2022/Aa1 dated 22.12.2022 and to quash the same and consequently directing the respondents 1 to 4 to cancel the assignment granted in favour of the respondents 6 to 15 in respect of the property comprised in S.Nos.151/1, 152/1A, 152/1B, 152/1C, 152/1D, 152/2, 150/1, 150/2, 150/3, 150/6 and 150/7 situated at Chittulotti Village, Peraiyur Taluk, Madurai District and restore the same.

For Petitioner
For R1 to R5

: Mr.M.Gnanagurunathan
: Mr.P.Thilakkumar, Government Pleader



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ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

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We have heard Mr.M.Gnanagurunathan, learned counsel appearing for the petitioner and Mr.P.Thilakkumar, learned Government Pleader appearing for the respondent Nos.1 to 5.

2. The petitioner is challenging the No Objection Certificate issued by the respondent No.3 for sale of the subject property. The contention is that the subject property was assigned to the original assignees who are respondents 6 to 15 and the lock-in period was 20 years. Before the end of the lock-in period, the assignees have sold the subject property.

3. The petitioner is not the affected party. The petitioner is a third party and he is not even remotely connected with the transaction in question. In view of that, we are not inclined to enter into the subject matter of the writ petition. If the terms of assignment are violated by the assignees, it is for the State authorities to consider the same. The petitioner has already made a representation to the authority. The authority shall consider the same on its own merits and in accordance with law.



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4. The Writ Petition, accordingly, stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.V.G., C.J.]

[L.V.G., J.]

01.12.2023

Index : Yes / No
Neutral Citation : Yes / No
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