



C.R.P.(MD)No.2865 & 2882 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)Nos.2865 and 2882 of 2023

C.R.P.(MD)No.2865 of 2023 :

Subramanian Chettiar (died)

1.Radhakrishnan

2.Soundararajan

3.Soundaram

4.Jeyalakshmi

Ramasamy (died)

5.Meenakshi

6.Chockalingam

7.Ramanathan

8.Thiyagarajan

9.C.N.Ramanathan

10.Shanmugam

11.Palaniappan

12.Singaram

13.Rajendran

14.Chokkalingam

: Petitioners 1 to14/Petitioners 5, 15-17, 19, 22-25, 29-33

Petitioners 6,19-21, 23, 27-30, 34-38

Petitioners 6, 19-21, 23, 27-30, 34-38



C.R.P.(MD)No.2865 & 2882 of 2023

- 15.Saraswathi
- 16.Valliammai
- 17.Meenakshi
- 18.Mangayarkarasi
- 19.Thiyagarajan
- 20.Kandasamy
- 21.Sathappan
- 22.Nachammai
- 23.Meenakshi
- 24.Ulagappan
- 25.Santha
- 26.Alagusundaram
- 27.Deivanai
- 28.Suresh
- 29.Ramesh
- 30.Soundaravalli

: Petitioners 15-30/ Petitioners 35-40,
42-44, 46-53

Vs.

- 1.Sathappan
- 2.Viswanathan
- 3.Manickam @ Chokkalingam
- 4.Vasumani
- 5.Subramanian
- 6.Andiyappa Chettiyar
- 7.Alagappan
- 8.Kannathal



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9.Seethai Aachi

10.Gomathi

11.Meiyyappan

12.Seenivasan

13.Pappa Aachi

14.Valliammai Aachi

15.Saroja

16.Manickavalli : Respondents 1-16/Petitioners 2-4,
7-9, 11-14, 20, 21, 26-28, 34,
Petitioners 3-5, 9-11, 15 -18, 24, 25, 31-33 & 39
Petitioners 3-5, 9-11, 15 -18, 24, 25, 31-33 & 39

17.Palaniappan

18.Lakshmi Aachi

19.Sathammai : Respondents 17-19/Petitioners 36, 41, 45

20.The Land Acquisition Officer cum
Revenue Divisional Officer,
Dindigul (now) Revenue Divisional Officer,
Palani.

21.The Managing Director,
Tamil Nadu Transport Corporation,
Dindigul. : Respondents 20 & 21/Respondents/
Respondents/Respondents

(Notice to all the respondents may be given up)

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned Principal Sub Judge, Palani to comply with the order dated 03.01.2023 in E.A.No.1 of 2022 in E.P.No.22 of 2005 in L.A.O.P.No.2 of 1996 on the file of the learned Principal Sub Judge, Palani.



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C.R.P.(MD)No.2865 & 2882 of 2023

For Petitioner : Mr.R.Suriyanarayanan

For Respondent : Mr.J.John Rajadurai,

Government Advocate (Civil Side), for R20

C.R.P.(MD)No. 2882 of 2023:

Subramanian Chettiar (died)

1.N.Ramanathan

Meiyappan (died)

Valliammai Achi (died)

S.Ramanathan (died)

2.R.Ramanathan

3.S.Thiyagarajan

Meiyappa Chettiar (died)

4.Radhakrishnan

Valliammai Achi (died)

5.R.M.Chockalingam

Meenakshi Achi (died)

6.Soundararajan

7.V.Soundaram

8.Jeyalakshmi

V.Ramasamy (died)

9.Meenakshi

10.M.Shanmugam

11.M.Palaniappan

12.M.Singaram



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13.M.Rajendran

14.M.Chockkalingam

: Petitioners 1 to 14/

Petitioners 2,3,5, 7- 11, 14-17,19-23,29-33

Petitioners 2,3,5, 7- 11, 14-17,19-23,29-33

Petitioners 2,3,5, 7- 11, 14-17,19-23,29-33

15.Saraswathi

16.Valliammai

17.Meenakshi

18.Mangayarkarasi

19.Thiyagarajan

20.Kandasamy

21.Sathappan

22.Nachammai

23.Meenakshi

24.Ulagappan

25.Santha

26.Alagusundaram

27.Deivanai

28.Suresh

29.Ramesh

30.Soundaravalli

: Petitioners 15-30/

Petitioners 34,36-39,41-43,45-52

Vs.

1.Andiyappa Chettiyar

2.Sathappan

3.Manickavalli

4.Soma.Viswanathan



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5.Soma.Chokkalingam

6.Alagappan

7.V.Meiyappan

8.V.Srinivasan

9.Pappathi

10.RM.Valliammai Aachi

11.V.Saroja

12.Palaniappan

13.Lakshmi Achi

14.Sathammai : Respondents 1-14/Petitioners
1,4,6,12,13,18, 24-28, 35,40 & 44
Petitioners1,4,6,12,13,18,24-28
Petitioners1,4,6,12,13,18,24-28

15.The Land Acquisition Officer cum
Revenue Divisional Officer,
Dindigul (now) Revenue Divisional Officer,
Palani.

16.The Managing Director,
Tamil Nadu Transport Corporation,
Dindigul.

: Respondents15, 16/Respondents
Respondents/Respondents

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned Principal Sub Judge, Palani to comply with the order dated 03.01.2023 in E.A.No.1 of 2022 in E.P.No.23 of 2005 in L.A.O.P.No.98 of 1996 on the file of the learned Principal Sub Judge, Palani.



C.R.P.(MD)No.2865 & 2882 of 2023

For Petitioner : Mr.R.Suriyanarayanan

For Respondent : Mr.J.John Rajadurai,

Government Advocate (Civil Side), for R15.

COMMON ORDER

The Civil Revision Petition in C.R.P.(PD)(MD)No.2865 of 2023 has been filed seeking orders to direct the learned Principal Sub Judge, Palani to comply with the order dated 03.01.2023 in E.A.No.1 of 2022 in E.P.No.22 of 2005 in L.A.O.P.No.2 of 1996.

2. The Civil Revision Petition in C.R.P.(PD)(MD)No.2882 of 2023 has been filed seeking orders to direct the learned Principal Sub Judge, Palani to comply with the order dated 03.01.2023 in E.A.No.1 of 2022 in E.P.No.23 of 2005 in L.A.O.P.No.98 of 1996.

3. When the revision petition in C.R.P.(PD)(MD)No.2865 of 2023, was taken up for hearing on 03.11.2023, a learned Judge of this Court, after getting particulars from the concerned staff of Sub Court, Palani, has directed the Registry to call for an explanation from the Principal Sub Court, Palani with regard to the compliance of orders.



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4. When the petition in C.R.P.(PD)(MD)No.2882 of 2023, was taken up for hearing on 06.11.2023, considering the submissions made by the learned counsel for the petitioners that though the cheque petition was ordered on 03.01.2023, cheque was not yet issued, directed the Registry to call for explanation from the concerned Court.

5. In pursuance of the said directions, the learned Principal Subordinate Judge, Palani, has submitted a report, dated 10.11.2023, stating that the cheque petition was ordered by his predecessor in office; that the same was not brought to his knowledge by the staffs till receiving of the above letters; that after enquiring the concerned staff, he came to know that the then Bench Clerk did not hand over the bundle to the concerned staff, even after his transfer from the concerned Court and that he will rectify the defects in the above proceedings and the amount due to the respective parties will be given to them by calculation of their respective shares from the amount and by obtaining proper F.S. memo from the parties as early as possible.

6. When the matters are taken up for hearing today, the learned counsel for the petitioners would submit that the Sub Court office, after verifying the records has made an endorsement and only on that basis,



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cheque petition was ordered and in case of any discrepancy in the amount,
it is for the concerned Court to rectify the same.

7. Considering the report and explanation submitted by the learned Principal Sub Judge and the submission made by the learned counsel for the petitioners, the learned Principal Subordinate Judge is hereby directed to comply with the order, dated 03.01.2023 passed in the cheque petitions within a period of 15 days from the date of receipt of copy of this order.

8. With the above direction, these Civil Revision Petitions are dispose of. No costs.

15.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
das



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C.R.P.(MD)No.2865 & 2882 of 2023

K.MURALI SHANKAR,J.

das

To

- 1.The Principal Sub Judge, Palani.
- 2.The Land Acquisition Officer cum
Revenue Divisional Officer,
Dindigul (now) Revenue Divisional Officer,
Palani.
- 3.The Section Officer,
VR Section, Madurai Bench of Madras High Court,
Madurai.

Order made in
C.R.P.(MD)Nos.2865 and 2882 of 2023

Dated : 15.11.2023