



WEB COPY



WP.No.9456 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

WP.No.9456 of 2024

J.Manokar

.. Petitioner

Versus

1.The District Collector
Office of the District Collectorate
Cuddalore, Cuddalore District

2.The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Sub -Jail Road Cuddalore, Cuddalore District

3.The Tahsildar
Office of the Tahsildar
Cuddalore

4.Rathinammal

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to conduct the enquiry on the representation dated 08.02.2024 issued by the petitioner on the file of the second respondent.

For Petitioner : Mr.C.B.Muralikrishnan

For Respondents : Mr.P.Gurunathan for R1 to R3
Additional Government Pleader



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This writ petition has been filed to consider the representation of the petitioner in respect of issuance of patta.

2. Heard both sides and perused the materials placed on record.

3. On hearing the submissions of the learned counsel for the petitioner and on perusal of the documents filed before this Court, it appears that the petitioner's right in the suit property is already decided in O.S.No.1186 of 1985 and A.S.No.81 of 1989 and finally in S.L.P.No.4921 of 1997. The Special Leave Petition is also dismissed.

4. The suit was originally filed by the vendor of the petitioner for recovery of the possession and later amended to suit for declaration and recovery of possession. Though the Trial Court originally passed a decree, the same was set aside by the Appellate Court and ultimately confirmed by way of dismissal of S.L.P before the Hon'ble Supreme Court.

5. This Court is of the definite view that when the right is already determined conclusively between the parties, now a writ petition has been filed once again to create a new cause of action for considering the representation.



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6. Such view of the matter, this writ petition is nothing but abuse of process of law and the same is accordingly, dismissed. No costs.

10.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

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N. SATHISH KUMAR, J.



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