



W.P.(MD)No.9467 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.9467 of 2021

and

W.M.P.(MD)Nos.7192 & 7194 of 2021

Mayakkal

... Petitioner

/Vs./

1. The Thasildhar  
Usilampatti Taluk,  
Madurai District
2. The Surveyor  
Survey Department,  
Usilampatti Taluk,  
Madurai District.
3. Kannan
4. Boominathan
5. Murugesan
6. Ameer,
7. Podhumani

.. Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent pertaining to the Patta No.645 issued in respect of the property comprised in S.No.17/2(17/2C) and extent of 50 cents situated at Pullaneri Village, Chekkanoorani Village, Madurai District, in the name of respondents 3 to 7 quash the same, as the same is arbitrary



W.P.(MD)No.9467 of 2021

Ultra vires contrary to the principles of Natural Justice Audi Alteram partem and consequently direct the first respondent to conduct an enquiry afresh affording opportunity to the petitioner.

For Petitioner : Mr.R.G.Shankar Ganesh

For Respondents : Mr.D.Gandhiraj

Special Government Pleader for R1&2

### **ORDER**

This Writ Petition has been filed to call for the records of the first respondent pertaining to the Patta No.645 issued in respect of the property comprised in S.No.17/2(17/2C) and extent of 50 cents situated at Pullaneri Village, Chekkanoorani Village, Madurai District, in the name of respondents 3 to 7 and quash the same and consequently, to direct the first respondent to conduct an enquiry afresh affording opportunity to the petitioner.

2. The petitioner filed a suit in O.S.No.175 of 2021, on the file of the Subordinate Court, Usilampatti, for declaration, declaring that the subject property is in his favour.



W.P.(MD)No.9467 of 2021

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3. While pending the suit, an Advocate Commissioner was appointed and in the presence of the Advocate Commissioner, the property was also surveyed and submitted report before the trial Court. Therefore, the prayer sought for by the petitioner become infructuous.

4. Accordingly, this Writ Petition is dismissed as infructuous.  
No costs. Consequently, connected Miscellaneous Petitions are closed.

**26.11.2024**

Internet : Yes/No  
NCC : Yes / No  
Index : Yes/No  
LS

TO:-

1. The Thasildhar  
Usilampatti Taluk,  
Madurai District
2. The Surveyor  
Survey Department,  
Usilampatti Taluk,  
Madurai District.
3. The Subordinate Court,  
Usilampatti.



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W.P.(MD)No.9467 of 2021

**G.K.ILANTHIRAIYAN, J.**

LS

Order made in  
**W.P.(MD)No.9467 of 2021**

Dated:  
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