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W.P.(MD)NO.14818 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14818 of 2020 AND

W.M.P.(MD)No.12473 of 2020

Sathiyamoorthy

... Petitioner

Vs.

1. The District Collector,
Pudukottai District.
2. The Sub Registrar,
Thirumayam,
Pudukottai District.
3. The Assistant Settlement Officer,
Land Settlement Office,
Pudukottai.
4. The District Revenue Officer,
Pudukottai.
5. The Revenue Divisional Officer,
Pudukottai.
6. The Tahsildar,
Thirumayam,
Pudukottai.
7. The Special Tahsildar,
O/o.the Land Acquisition Proceedings,
Thirumayam Taluk,
Pudukottai.

... Respondents /Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to quash the impugned order of 4th respondent in



Ne.Mu.6635/2017 (D3) dated 23.01.2020 and quash the consequential impugned order of the 6th respondent in Ne.Mu. 11525/2016/A6 dated 31.01.2020 and consequently direct the 3rd respondent to rectify the settlement land register (SLR) in S.F.No.559/2 old S.F.No.559/3A Thirumayam Taluk No.71 Thirumayam Village, Pudukottai and direct the 1,3 to 5 respondents to issue patta in the name of petitioner's father Nagappa Chettiar, Son of Muthukaruppan Chettiar and direct the 2nd respondent not to register any sale deed in S.F. No.559/2B situated at Thirumayam Taluk, Pudukkottai Village and further direct the 7th respondent to disburse the compensation amount for acquisition of land in S.F.No.559/2A situated at Thirumayam Taluk, Pudukottai within the stipulated time as prescribed by this Court.

For Petitioner : No appearance.

For Respondents : Mr.S.Kameshwaran,
Government Advocate.

* * *

ORDER

None appears for the writ petitioner.

2. When the matter was listed yesterday, there was no representation. Today the matter was posted under the caption “ for dismissal ”. Today also there is no representation. The respondents have filed counter affidavit and the learned Government Advocate took me through its contents.



to be passed.

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6. The learned Government Advocate has made available all the relevant “A” Register extracts. The position that obtained prior to UDR is clear therefrom. It reflects the names of Nataraja Pillai as well as Nagappa Chettiar in respect of survey No.559/2. That is why, while closing the said writ petition, the learned Judge noted that since the writ petitioners had already filed O.S.No.131 of 2021 before the learned Additional District Munsif, Pudukkottai, they were directed to work out their remedy in the pending suit. When the petitioner and his brother have already filed civil suit after issuance of the impugned order, the question of considering the claim on merits in this writ petition does not arise at all. This writ petition stands disposed by relegating the petitioner to pursue his remedy in the pending suit.

7. I make it clear that I have not gone into the merits of the matter. No costs. Consequently, connected miscellaneous petition is closed.

05.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To:

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G.R.SWAMINATHAN,J.

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