



W.P.(MD)No.1117 of 2018

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.11.2024**

CORAM:

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

W.P.(MD)No.1117 of 2018
and
W.M.P.(MD)Nos.1174 & 1175 of 2018

K.Gnanasekaran

... Petitioner

/Vs./

1. The District Collector
Ramanathapuram District.
2. The District Revenue Officer
Ramanathapuram District
3. The Revenue Divisional Officer,
Ramanathapuram District
4. The Tahsildar
Thiruvadanai,
Ramanathapuram District
5. The Sub Registrar,
Thondi, Ramanathapuram District.
6. Marimuthu,

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for records relating to the impugned order dated 03.07.2017 passed in Ne.Mu.A6/12250/2013



W.P.(MD)No.1117 of 2018

and by the fourth respondent and quash the same and consequentially forbear the fifth respondent from registering any document of alienation executed by the sixth respondent pertaining to the subject properties measuring an extent of 5.09.0 hectares in Survey No.262/1 262/2 262/3 and 263/3 Choliakudi Village, Thiruvadanai Taluk, Ramanathapuram District on the basis of the patta standing in his name.

For Petitioner : Mr.J.Bharathan

For Respondents : Mr.D.Gandhi Raj

Special Government Pleader for R1 -5

: Mr.J.Madhu for R6

ORDER

This writ petition has been filed to quash the impugned order dated 03.07.2017 passed by the fourth respondent in Ne.Mu.A6/12250/2013 and consequentially forbear the fifth respondent from registering any document of alienation executed by the sixth respondent pertaining to the subject properties measuring an extent of 5.09.0 hectares in Survey No. 262/1 262/2 262/3 and 263/3 Choliakudi Village, Thiruvadanai Taluk, Ramanathapuram District on the basis of the patta standing in his name.



W.P.(MD)No.1117 of 2018

WEB COPY

2. While pending the writ petition, the subject property was sold out in favour of third parties on the strength of patta issue by the respondents. The third parties, who are the purchasers of the subject property, filed a suit in O.S.No.48 of 1995, for declaration as against the respondents in respect of the subject property, on the file of the Sub Court, Ramanathapuram. The said suit was dismissed on 26.06.2000. Aggrieved by the same, the third parties, filed an appeal suit in A.S.No. 111 of 2000 on the file of the Principal District Court, Ramanathapuram, which was allowed and the suit filed by the third party was decreed in their favour.

3. Aggrieved by the same, the fishermen of Launchiyadi have filed second appeal in S.A.(MD)No.313 of 2017 before this Court and the same was allowed the suit filed by the purchasers was dismissed. As against the judgment of the second appeal, the purchasers of the subject property, preferred Special Leave Petition in S.L.P.(C)No.4701 of 2024 and obtained an interim order on 12.02.2024.



W.P.(MD)No.1117 of 2018

WEB COPY

4. Therefore, this Court find no infirmity or illegality in issuance of patta by the fourth respondent in favour of the sixth respondent. Hence, this petition is liable to be dismissed and accordingly, dismissed. However, the petitioner is at liberty to approach the revenue authorities for cancellation of patta with respect of subject property, subject to the result of the Special Leave Petition. No costs. Consequently, connected Miscellaneous Petitions are closed.

05.11.2024

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



W.P.(MD)No.1117 of 2018

WEB COPY

TO:-

1. The District Collector
Ramanathapuram District.
2. The District Revenue Officer
Ramanathapuram District
3. The Revenue Divisional Officer,
Ramanathapuram District
4. The Tahsildar
Thiruvadanai,
Ramanathapuram District
5. The Sub Registrar,
Thondi, Ramanathapuram District.



WEB COPY



W.P.(MD)No.1117 of 2018

G.K.ILANTHIRAIYAN, J.

LS

Order made in
W.P.(MD)No.1117 of 2018

Dated:
05.11.2024