



W.P.(MD) No.20006 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.20006 of 2015

and

M.P(MD)Nos.1 to 3 of 2015

V.Palanisamy

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

4.The Zonal Deputy Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

5.Azhagammal

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the 4th respondent in நி.மு.தா.ப.மா.எண்.ஆ9/3211/2015, dated 23.10.2015 in Survey No.204/1 (New Survey No. 204/32), quash the same consequently to restore the path way.

For Petitioner : Mr.S.Satheesh Kumar
For R1 – R4 : Mr.D.S.Neduncheziyan
Government Advocate
For R5 : Mr.S.Bharathi

ORDER

The present appeal has been filed to quash the impugned order passed by the 4th respondent, dated 23.10.2015 and to restore the path way.

2. It is submitted before this Court that the petitioner has gone before the Civil Court with reference to the disputed property in question by filing an original suit in O.S.No.100 of 2015 on the file of the District Munsif cum Judicial Magistrate, Thiruppathur which was later transferred to Principal District Munsif cum Judicial Magistrate, Singampunari and numbered as O.S.No.169 of 2019.



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3. It is now informed by the learned counsel for the petitioner that the suit in O.S.No.169 of 2019 has been dismissed. The suit has been filed by the petitioner along with his neighbour Karthikeyan for a declaration that the land in question was a common pathway. Considering the fact that the suit has been dismissed, nothing survives for consideration in this writ petition.

4. Therefore, this writ petition is dismissed. No costs.
Consequently, connected Miscellaneous Petitions are closed.

07.08.2024

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

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.



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3.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

4.The Zonal Deputy Tahsildar,
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P.T.ASHA, J.

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