



W.P(MD)No.14827 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.14827 of 2017

V.Ramamoorthi

: Petitioner

Vs.

1.The Revenue Divisional Officer,
Sattur, Virudhunagar District.

2.The Tahsildar,
Rajapalayam Taluk Office,
Rajapalayam, Virudhunagar District.

3.Balasundar

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 do not change the patta in the name of the third respondent herein with regard to Therkku vengallur Village S.No.168/9 to an extent of 0.11.5 hector and 28 cents situated at Rajapalayam Taluk, Virudhunagar District on the basis of the petitioner's representation, dated 27.06.2017.

For Petitioner : Mr.G.Gomathi Shankar

For Respondents : Mr.M.Prakash,
Additional Government Pleader, for R1 & R2.

: Mr.M.Vijayarathinam, for R3.



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ORDER

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This Writ Petition has been filed seeking issuance of Writ of Mandamus, directing the respondents 1 and 2 not to change the patta in the name of the third respondent herein with regard to Therkkuvenganallur Village S.No.168/9 to an extent of 0.11.5 hector and 28 cents situated at Rajapalayam Taluk, Virudhunagar District on the basis of the petitioner's representation, dated 27.06.2017.

2. The learned counsel appearing for the petitioner would submit that since the property in dispute is belonging to the petitioner's community and taking note of the fact that one Rasiah, who was not having any right over the said property, has sold the property to the third respondent, the petitioner has filed a suit in O.S.No.172 of 2017 on the file of the Sub Court, Srivilliputhur to declare that the property in dispute is belonging to the community; that the suit was decreed in their favour; that in the appeal, the judgment of the trial Court was set aside and that the petitioner's community is taking steps for preferring second appeal.

3. Even according to the writ petitioner, the petitioner or his community is not having any right over the suit property as of now. Hence, nothing survives for further adjudication in this petition.



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4. In the result, the Writ Petition is dismissed. The petitioner is at liberty to take appropriate proceedings subject to the result of the second appeal to be instituted by them. No costs.

18.04.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
das

To

- 1.The Revenue Divisional Officer,
Sattur, Virudhunagar District.
- 2.The Tahsildar,
Rajapalayam Taluk Office,
Rajapalayam, Virudhunagar District.



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K.MURALI SHANKAR, J

DAS

Order made in
W.P(MD)No.14827 of 2017

Dated : 18.04.2024