



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2026

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CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL**

**W.A(MD)No.1310 of 2026
and
CMP(MD)No.11284 of 2026**

Venkateswaran

... Appellant

vs.

1. Sureshbabu

2. The Revenue Divisional Officer,
Melur, Madurai District.

3. The Tahsildar,
Madurai East,
Madurai.

4. The Sub Registrar,
Karupaurani Sub Registrar Office,
Near Masthanpatti,
Madurai-625 020.

... Respondents

PRAYER : Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 23.06.2026 made in W.P(MD)No.17443 of 2026.

For Appellant	: Mr.C.M.Arumugam
For R1	: Mr.N.Tamilmani
For R2 to R4	: Mr.M.Kannan, Special Government Pleader



W.A(MD)No.1310 of 2026

JUDGMENT

(Judgment of the Court was made by C.V.KARTHIKEYAN, J.)

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The writ appeal has been filed by the 3rd respondent in W.P(MD)No. 17443 of 2026 questioning the order of the learned Single Judge dated 23.06.2026.

2. The 1st respondent herein had filed the aforementioned writ petition in the nature of Certiorarified Madamus, seeking records relating to an order passed by the Revenue Divisional Officer at Melur dated 19.05.2026 and to quash the same and to remand the matter back to the file of the Revenue Divisional Officer at Melur. We are informed that as on date, the 1st respondent has presented a suit seeking declaration of title on 14.08.2026 before the District Court at Madurai.

3. The entire issue surrounds title to property at new Patta No.98 at Kalikappan Bit-1 Village, Karuppayurani Taluk, Madurai District. There is no dispute about the identity of the property. A Will is projected by one of the parties. The Will is disputed by the other party. Naturally, the Will will have to be proved in the manner known to law. There was an issue about mutation of patta. Finally, the issue came to the doorsteps of the Revenue Divisional Officer at Melur. He had passed final orders about which the writ petitioner has deep



grievances. Questioning that particular order of the Revenue Divisional Officer, the writ petition had been filed. The relief sought was to quash the said order and to remand the matter back to the Revenue Divisional Officer. The learned Single Judge had quashed the order of the Revenue Divisional Officer and had issued a further direction restraining all the parties concerned from dealing with or alienating the property. Claiming that directions of that nature should not have been issued, the writ appeal had been filed.

4. We are quite fortunate that since the writ petitioner has now instituted a suit, the Civil Court can now take up the issue at hand and pass appropriate orders. It will always be prudent that all disputed facts are raised and agitated before the Civil Court. So far as the order of the Revenue Division Officer is concerned, we would direct that the same be kept in abeyance awaiting the result of the decision of the Civil Court and the appeal in the Courts of hierarchy. If finally the writ petitioner/plaintiff succeeds, then naturally, the order of the Revenue Divisional Officer fades away. If the plaintiff/writ petitioner fails in his attempt to establish title, then the order of the Revenue Divisional Officer would stand revived. Since the civil suit has been instituted, we refrain from expressing any opinion on the disputed facts as stated by the learned counsel on both sides.



W.A(MD)No.1310 of 2026

5. The Writ Appeal stands disposed of with the aforesaid directions. No costs. Consequently, connected miscellaneous petition is closed.

[C.V.K., J.] & [R.S.V., J.]
19.08.2026

Index : Yes / No
Neutral Citation : Yes / No
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W.A(MD)No.1310 of 2026

C.V. KARTHIKEYAN, J.
AND
R.SAKTHIVEL, J.

bala

W.A(MD)No.1310 of 2026

19.08.2026

Page No.5/5