

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2015

CORAM

THE HONOURABLE Mr. JUSTICE T.S. SIVAGNANAM

W.P.No.31727 of 2014

R.Venkatesan

.. Petitioner

Vs

1. The Revenue Divisional Officer,
Ponneri Taluk Office,
Ponneri,
Tiruvallur District - 601 204

2. V.Ramesh

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 03.04.2014 in accordance with law.

For Petitioner : Mr.T.K.Ashok Kumar

For Respondents : Mr.R.Vijayakumar, for R1

Additional Government Pleader

: Mr.R.Munuswamy for R2

O R D E R

Heard Mr.T.K.Ashok Kumar, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader for the 1st respondent and Mr.R.Munuswamy, learned counsel for R2.

2. Earlier, the petitioner, namely V.Ramesh has filed the writ petition in W.P.No.14782 of 2014 before this Court and sought for the relief of mandamus forbearing the Revenue authorities from cancelling the subdivision patta No.362 comprised in survey No.213/2 and the petitioner herein has filed a suit in O.S.No.161 of 2014 before the District Munsif Court, Ponneri seeking for declaration over the suit property, which is in question. Earlier, the petitioner R.Venkatesan, has approached the Police Authorities and had given a complaint before the Land Grabbing Special Cell and he also sought for a Writ of Mandamus by filing W.P.No.30346 of 2014 for certain reliefs. The petitioner V.Ramesh sought for a direction upon the respondents not to interfere stating it is a civil dispute. In the mean time, the petitioner in W.P.No.30346 of 2014 R.Venkatesan, has approached the Tahsildar and had submitted an application for cancellation of patta granted

in the name of the third Respondent therein. The third Respondent in W.P.No.30346 of 2014 seeks direction not to cancel the patta or the sub division of the property. Now, the petitioner in this Writ Petition, namely R.Venkatesan, seeks direction upon the 1st respondent to dispose of the petitioner representation dated 03.04.2014 in accordance with law.

3.Since the dispute between the parties is pending before the Civil Court, awaiting the decision of the Civil Court, in the interregnum, the matter should not be precipitated. More so, when the petitioner in W.P.No.30346 of 2014 is defendant in O.S.No.112 of 2014 and therefore, all the proceedings pending before the Police officials and the Revenue Department, namely, the Tahsildar, Ponneri shall be kept in abeyance and proceeded with only after the decision of the Civil Court in O.S.No.112 of 2014.

4.With the above observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssd

TO

1. The Revenue Divisional Officer,
Ponneri Taluk Office,
Ponneri, Tiruvallur District - 601 204

+ 1 cc to Mr.R. Munuswamy, Advocate Sr.5040

सत्यमेव जयते

W.P.No.31727 of 2014

GJ(CO)

Eu 13.02.15

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