



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.09.2016

Coram

WEB COPY

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD)No.16205 of 2016

and

W.M.P. (MD) .No.11856 of 2016

1.A.Vijayalakshmi

2.Pandeeswari

3.Selvapandi

. . .

Petitioners

-Vs-

1.The Revenue Divisional Officer,

Aruppukkottai,

Virudhunagar District.

2.The Tahsildar,

Virudhunagar Taluk,

Virudhunagar.

. . .

Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 1st Respondent herein from proceeding further with respect to Na.Ka.1/209/2016 with regard to the cancellation of patta in S.No.98/2 of Pullalakottai Village, Virudhunagar Taluk, pending disposal of the suit in O.S.No.87/2016 on the file of the District Munsif Court, Virudhunagar.

For petitioners

:Mrs.Lakshmi Gopinathan

For Respondents

:Mr.J.Gunaseelan Muthiah

Govt. Advocate

#### ORDER

The petitioners have filed this writ petition seeking a direction to forbear the 1st Respondent herein from proceeding further with respect to Na.Ka.1/209/2016 with regard to the cancellation of patta in S.No.98/2 of Pullalakottai Village, Virudhunagar Taluk, pending disposal of the suit in O.S.No.87/2016 on the file of the District Munsif Court, Virudhunagar.

2. According to the petitioner, now, the petitioner filed a suit in O.S.No.87 of 2016 on the file of the District Munsif Court, Virudhunagar regarding title of the parties and it is pending. Till the Civil Court decides the title, the Revenue Divisional Officer, Virudhunagar District, cannot proceed with the



enquiry.

3. The learned Government Advocate appearing for the respondent would submit that even though notice was received by the petitioner, he did not appear for the enquiry. Now, the Revenue Divisional Officer, Virudhunagar concluded the enquiry and reserved the orders.

4. In the above circumstances, without going into the merits of the case, the petitioner is directed to appear before the Revenue Divisional Officer, Virudhunagar and produce all the documents with regard to his claim and the Revenue Divisional Officer, Virudhunagar, once again, is directed to conduct enquiry, after giving opportunity to the petitioner and others concerned, if any and pass suitable orders.

5. With the above direction, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (Writ)

/True Copy/

Sub Assistant Registrar

VS

To

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

2. The Tahsildar,  
Virudhunagar Taluk,  
Virudhunagar.

+1 cc to M/s. POLAX LEGAL SOLUTIONS , Advocate, Sr.No: 51546

+1cc to M/S Special Government Pleader, Sr No. 51630

JAM/SKS-RR/23.09.16/ 2P-5C

W.P. (md) .No.16205 of 2016  
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