



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.23060 of 2016
and W.M.P(MD)Nos.16517 of 2016

Amutha Thenmozhi

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Ramanathapuram District.
2. The Tahsildar,
Ramanathapuram District.
3. The District Educational Officer,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for records relating to the impugned order, dated 14.11.2016 passed by the first respondent in Ni.Mu(A6) 6724/2016 and quash the same.

For Petitioner	: Mr.J.Barathan
For Respondents	: Mr.N.S.Karthikeyan Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

2.By consent, the Writ Petition itself is taken up for final disposal.

3.Challenging the order passed by the first respondent- Revenue Divisional Officer, allowing the appeal filed by the third respondent, the present Writ Petition has been filed.

4. Mr. J. Barathan, learned counsel appearing for the petitioner fairly submits that since there is a civil dispute between the parties, already the petitioner filed a suit for



partition and the suit was also decreed. Now, the third respondent claiming right over the property. Therefore, the learned counsel for the petitioner submitted that the petitioner may be directed to approach the civil Court to get a suitable relief.

5. The only request of the learned counsel for the petitioner is that in the event of the petitioner filing a suit, the civil Court has to decide the matter on merits and in accordance with law and pass appropriate orders without reference to the order passed by the revenue authorities.

6. In view of the above, this Writ Petition is dismissed. However, liberty is given to the petitioner to file a suit. Once a suit is filed, the civil Court is directed to pass orders on the same on merits and in accordance with law without reference to the order passed by the Revenue Divisional Officer. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Ramanathapuram District.
2. The Tahsildar,
Ramanathapuram District.
3. The District Educational Officer,
Ramanathapuram District.

+ 1 CC TO M/s.T.R.JEYA PALAM, ADVOCATE IN SR No. 74983
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 78120

PS

TE/SS-3 : 20/12/2016 : 2P/6C

W.P (MD) No.23060 of 2016
and

W.M.P (MD) Nos.16517 of 2016
30.11.2016