



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2016

CORAM :

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Writ Petition (MD) No.7854 of 2016

and

W.M.P (MD) Nos.6466 and 6467 of 2016

K.Navaneetha Krishnan @ Ambareesan

... Petitioner

Vs.

1.The Secretary to the Government,
Land and Revenue,
The Government of Tamil Nadu,
St., George Fort, Chennai.

2.The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai 5.

3.The District Collector,
Virudhunagar, Virudhunagar District.

4.The District Revenue Officer,
Virudhunagar, Virudhunagar District.

5.The Revenue Divisional Officer,
Virudhunagar, Virudhunagar District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 5 to consider petitioner's representation dated 30.03.2016 and direct the respondents 1 to 3 to interfere in this regard and set aside the order of the 4th respondent in Na.Ka.No.B2/45907/2008, dated 26.06.2013 and 5th respondent in Nee.Mu.A1/1181/2006, dated 29.10.2008 to grant such other or order or further relief as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.S.Samuel James Davasagayam

For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate.

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus, to direct the respondents 1 to 5 to consider the representation of the petitioner dated 30.03.2016 and direct the respondents 1 to 3 to



interfere in this regard and set aside the order of the 4th respondent in Na.Ka.No.B2/45907/2008, dated 26.06.2013 and 5th respondent in Nee.Mu.A1/1181/2006, dated 29.10.2008.

2. Admittedly, the petitioner has already approached this Court by filing W.P(MD)No.14524 of 2013 and this Court passed the following the order:

"The only grievance of the petitioner is that he has lost his case both before the Revenue Divisional Officer as well as before the District Revenue Officer for request of grant of patta. Admittedly, a civil suit is pending. His grievance is the Civil Court should not be influenced by the observations made in the Revenue Divisional Officer order or the District Revenue Officer order. This Court time and again stated that insofar as the title is concerned, Civil Court only has got the jurisdiction to decide the matter. Therefore, the Civil Court will decide the matter independently without being influenced by any of the observation made either by the Revenue Divisional Officer or District Revenue Officer.

4. With the above observation, the writ petition is dismissed as not maintainable as the Civil Court alone is competent to decide the title of the parties".

3. It is admitted by the petitioner that even today, O.S.No.95 of 2009 is still pending. Therefore, the apprehension of the petitioner is unfounded and it is for the petitioner to approach the Civil Court for appropriate remedy. No costs. Consequently, W.M.P(MD)Nos.6466 and 6467 of 2016 are closed.

Sd/-

Assistant Registrar(Crl.Side)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

sms

To

1. The Secretary to the Government,
Land and Revenue,
Government of Tamil Nadu,
St., George Fort, Chennai.

2. The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai 5.



3.The District Collector,
Virudhunagar, Virudhunagar District.

4.The District Revenue Officer,
Virudhunagar, Virudhunagar District.

5.The Revenue Divisional Officer,
Virudhunagar, Virudhunagar District.

+1 cc to Mr.S.Samuel James Davasagayam,Advocate, SR No. 22591

+1 cc to Special Government Advocate SR No.23012

RG.AAL-MPA/SAR-I 04/05/2016 3P/8C

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