

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2017

CORAM

THE HONOURABLE MR.JUSTICE RAVICHANDRABAABU

W.P.No.31823 of 2017
and
W.M.P.No.34969 of 2017

G.Manoharan

..Petitioner

vs.

1. The Revisional Authority/
The District Revenue Officer,
Office of Collectorate,
Thiruvallur,
Thiruvallur District.

2. K.Rathina Mudaliar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned proceedings vide RC.No.26698/2016(B3) dated 11.09.2017 passed by the 1st respondent and to quash the same and direct the 1st respondent to restore the revenue records to the original position as on the date of filing of the suit in O.S.No.59 of 2016, namely in the name of Mr.G.Manoharan, S/o Ganapathy Mudaliar to await for the verdict of Civil Court.

For Petitioner : Mr.V.Manohar

For Respondents : Mr.K.J.Sivakumar,

Government Advocate for R1

O R D E R

Mr.K.J.Sivakumar, learned Government Advocate takes notice for the first respondent. By consent of the parties, the main writ petition is taken up for final disposal.

2. The petitioner is aggrieved against the order of the first respondent arising out of a patta proceedings.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the first respondent.

4. It is seen that there is a dispute with regard to the title to the property between the petitioner and the second respondent. It is also seen that the petitioner has also approached the Civil Court and filed O.S.No.59 of 2016 on the file of the District Munsif Court, Tiruttani, seeking for declaration and for other relief wherein the second respondent herein was arrayed as the first defendant and the other Revenue officials including the first respondent and the Electricity Board officials were arrayed as party defendants. Therefore, it is for the petitioner to agitate the matter before the Civil Court where the Suit is filed. If, in the meantime, any entry or correction is made in the patta, needless to say, that everything is subject to the result of the Suit, which is pending before the Civil Court.

5. Therefore, I find that the present writ petition need not be kept pending as it is open to the petitioner to approach the Revenue officials and seek for necessary correction or entry in the revenue records in the event of his success in the Suit. By granting such liberty, this Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-J)

//True Copy//

Sub Assistant Registrar

vsi

To

The Revision Authority/
The District Revenue Officer,
Office of Collectorate,
Thiruvallur,
Thiruvallur District.

+1cc to Mr.V.MANO HAR Advocate, S.R.No. 87597
+1cc to the Government Pleader, S.R.No. 88152

W.P.No.31823 of 2017

TR(19/12/2017)