



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.01.2017
CORAM:

THE HONOURABLE MR. JUSTICE K. RAVICHANDRABAABU

WEB COPY

W.P. (MD) No. 9172 of 2014

Vellaiyammal

: Petitioner

Vs.

1. The District Collector,
Virudhunagar District.

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

3. The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

4. Ganesan

5. Maranadu

: Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari to call for the records relating to the impugned communication dated 11.11.2013 issued in the third respondent's proceedings M.P.J.K.A/13/13103 dated 16.12.2013 and 56291/2013 and quash the same.

For Petitioner : Ms. D. Farjana Ghoushia

For Respondents : Mr. A. Muthukaruppan
1 to 3 Additional Government Pleader

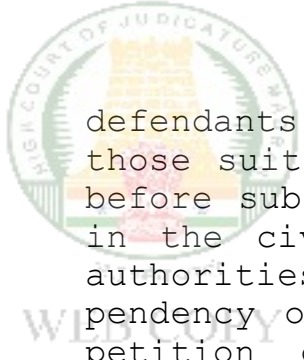
For respondent No.5 : Mr. S. Natarajan

For Respondent 4 : No Appearance

O R D E R

The petitioner is aggrieved against the order refusing to survey the land on the reason that a civil suit is pending between the parties in respect of the suit property.

2. Today when the matter is taken up for hearing, it is observed that in the notice of this Court that there are two civil suits pending where the petitioner and contesting respondents are party



defendants. It is seen that the subject matter of property in those suits are the properties referred in S.Nos.97/1E and 94/5C, before sub division. Therefore, unless until the parties succeed in the civil suit and get decree in their favour, the revenue authorities cannot be insisted to survey the land during the pendency of the civil proceedings. I find the the present writ petition deserves no merits as I find no ground to interfere with the impugned order.

3. Accordingly, the Writ Petition fails and the same is dismissed. However, liberty is given to the parties to approach the revenue officials after the disposal of the suit. No costs.

Sd/
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1. The District Collector,
Virudhunagar District.

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

3. The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

+1cc to M/s.G.Mariappan, Advocate, in SR No.525
+1cc to M/s.s.Natarajan, Advocate, in SR No.606
+1cc to Special Government Pleader in SR.No. 835

trp
AAM RR BS 30.01.2017 2P 7C

W.P. (MD) No.9172 of 2014
04.01.2017