



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)No.6445 of 2017
W.M.P.(MD) No.5071 of 2017

P.Perumal

..Petitioner

Vs

- 1.The Sub-Collector (Revenue Divisional Officer),
Palani,
Dindigul District.
- 2.The Thasildhar,
Vedasunthur (Taluk),
Dindigul District.
- 3.Palaniammal

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned notice dated 23.02.2017 in Na.Ka.466/2017/A1 issued by the 1st respondent and quash the same.

For Petitioner

:Mr.R.Ramadurai

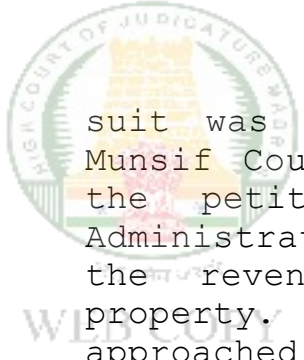
For Respondents 1 & 2 : Mr.A.Muthukaruppan

Additional Government Pleader

ORDER

The petitioner has approached this Court seeking quashment of the impugned notice of the 1st respondent in Na.Ka.466/2017/A1 dated 23.02.2017.

2.According to the petitioner, he is the owner of the agricultural land of an extent of 1 acre 78 cents on the eastern side out of the total extent of 3 acres and 58 cents in Old Survey No.506 and new Survey No.506/3, Vedasanthur Village, Vedasunthur Taluk, Dindigul District and another 92 cents on the middle of the said land, totaling to an extent of 2 acre and 70 cents. The above said land was originally purchased by the petitioner's father Palaniappa Gounder from one Karuppiyah and Murugammal on 15.12.1970 and after the death of his father in the year 1984, the petitioner is in possession and enjoyment of the property and patta also mutated in his name. According to the petitioner, the third respondent is the owner of the adjacent land and there has been dispute between the third respondent and the petitioner pertaining to the boundaries of each other property. In this connection, a



suit was also filed in O.S.No.70 of 2008 before the District Munsif Court, Vedasanthur and the same is pending. According to the petitioner, the third respondent is wife of Village Administrative Officer and therefore, she is trying to influence the revenue authorities to encroach upon the petitioner's property. In these circumstances, the third respondent has approached the revenue authorities for change of patta in her name and in response to the application filed by the third respondent, the first respondent by his communication dated 23.02.2017 required the petitioner to appear in person with title deeds for enquiry in respect of the subject property.

3.As per the communication dated 23.02.2017, the parties were directed to appear on 06.03.2017 at 11.00 a.m. and according to the petitioner the enquiry is not over and the same is still pending. In the meanwhile the petitioner has rushed to this Court, invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India assailing the communication dated 23.02.2017, without even waiting for the result of the proceedings, which was initiated under the impugned proceedings. Therefore, this Court is of the view that the Writ Petition is premature and cannot be entertained at this Stage.

4.Accordingly, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar.

To

1.The Sub-Collector (Revenue Divisional Officer),
Palani,
Dindigul District.

2.The Thasildhar,
Vedasunthur (Taluk),
Dindigul District.

+1CC to M/S.G.Vellaichamy, Advocate, SR.No. 51868
+1CC to the Special Government Pleader SR.No. 51765

W.P(MD)No.6445 of 2017
W.M.P.(MD) No.5071 of 2017
11.04.2017