



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 13.04.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)No.6778 of 2017

and

W.M.P(MD)Nos.5343 and 5344 of 2017

1.G.Kavitha
2.K.Janchirani
3.C.Thangam
4.M.Jeyan

..Petitioners

Vs

1.The Revenue Divisional Officer,
Melur Division at Othakadai,
Madurai District.

2.R.Muthulingam

3.M.Mullai Selvan

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records in Ref.No.Na.Ka.No.2278/2016/C and to quash the same and consequently to direct the first respondent not to take any action in the appeal pending before the first respondent.

For Petitioner : M/s.K.Kumaravel

For Respondent-1 : Mr.M.Alagathevan
Special Govt. Pleader

ORDER

The Petitioner has approached this Court seeking issuance of a Writ of Certiorarified Mandamus calling for the records in Ref.No.Na.Ka.No.2278/2016/C and to quash the same and consequently to direct the first respondent not to take any action in the appeal pending before the first respondent.

2.Mr.M.Alagathevan, learned Special Government Pleader takes
<https://hcservices.ecourts.gov.in/hcservices/> notice for the first respondent.



3. By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4. The learned counsel for the Petitioner has challenged the notice issued by the first respondent. The said notice is only directing the parties to appear before him in order to conduct an enquiry as to the rival claim of the parties. Since the impugned notice is only an enquiry notice and no final order has been passed by the first respondent, I do not think that the present Writ Petition can be entertained at this stage and therefore the Writ Petition is pre-matured and the same stands dismissed. It is open to the Petitioner to participate in the enquiry to be conducted by the Revenue Divisional Officer in pursuance of the notice issued by the first respondent, as he may be advised. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-
Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

The Revenue Divisional Officer,
Melur Division at Othakadai,
Madurai District.

+1 cc to Special Government Pleader, SR.No.52237

vsn
AE/RSK/17.05.2017/2P/3C

**W.P (MD) No. 6778 of 2017
and
W.M.P (MD) Nos. 5343
and 5344 of 2017
13.04.2017**