

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP(PD).No.1045 of 2018

and

CMP.No.5484 of 2018

P.Palanivel

.. Petitioner

Vs

1. G.Baskaran
2.V.R.Babu Veerappan
3.V.R.Meenatchi
4.Uma
5.R.Kamala
6.Nandhini
7.Amirtha Ganesh
8.Anugraha

.. Respondents

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order passed in IA.No.366 of 2014 in OS.No.126 of 2013 dated 27.07.2017 on the file of the learned Additional District Munsif Court, Mayiladuthurai.

For Petitioner : Mr.S.Parthasarathy

ORDER

The Civil Revision Petition is taken up for final disposal at

the admission stage itself.

2. According to the revision petitioner, the revision petitioner has filed a suit in OS.No.126 of 2013 for permanent injunction against the respondents herein. The said suit is pending. In the aforesaid suit, the revision petitioner has filed an application in IA.No.366 of 2014 for declaration to declare the revision petitioner is a cultivating tenant under the Tamil Nadu Agricultural Lands Record of Tenancy Rights Act, 1969. After hearing both the parties, the court below has dismissed the said application by holding that the said application is not maintainable before Civil Court. Hence, the revision petitioner has filed the present Civil Revision Petition before this Court.

3. Admittedly, the revision petitioner has filed the instant application before the Civil Court for declaration by way of amendment application. But Revenue court is the competent authority to decide the aforesaid issue. Therefore, the court below has rightly dismissed the instant application and hence there is no warrant to interfere with the order passed by the court below and the Civil Revision Petition is liable to be dismissed.

4. The Civil Revision Petition is dismissed with above observations. Consequently, the connected miscellaneous petition is closed. No costs.

16.03.2018

Speaking/Non-Speaking order
Index :Yes/No
Internet:Yes/No
lok



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D. KRISHNAKUMAR J.,

lok

To

The Additional District Munsif Court,
Mayiladuthurai.



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