

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.409 of 2018

Bagyalakshmi

W/o.Vasantha Kumar

.. Petitioner

versus

The District Collector

The District Collector Office,
Krishnagiri District.

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent to dispose the appeal filed by the petitioner dated 07.08.2013 before the respondent within the time frame fixed by this Hon'ble Court by considering the petitioner's representation dated 06.09.2013.

For Petitioner : Mr.K.Thirunavukkarasu

For Respondent : Mr.D.Suryanarayanan
Additional Government Pleader

O R D E R

Mr.D.Suryanarayanan, learned Additional Government Pleader takes notice for the respondent. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondent to consider her request for mutation of the Revenue Records, by claiming that she is the owner of the subject matter property.

3. Admittedly, the petitioner has already filed a civil suit in OS.No.177 of 2011 on the file of the District Munsif Court, Hosur against one Basavaraj and others and the said suit is still pending in respect of the subject matter property. In the mean time, the petitioner cannot seek for mutation of the Revenue Records, without getting the said suit disposed of.

4. Needless to say that the Revenue authorities are bound to

mutate the Revenue Records in the light of the decree to be passed in the Civil Suit. The petitioner can very well approach the Revenue authorities and seek for mutation of the Revenue Records, if she succeeds in the said suit. When such being the factual position, I do not think that the present relief sought for by the petitioner, can be entertained, during the pendency of the said suit. Accordingly, this writ petition is disposed of, by granting liberty to the petitioner to agitate the matter before the Civil Court, where the said suit is pending and if the suit is disposed of, it is for the petitioner to work out her remedy before the competent Revenue authorities seeking for mutation of the Revenue Records, if she succeeds in the said suit. No costs.

-sd/-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mk

To

The District Collector
The District Collector Office,
Krishnagiri District.

+1 C.C. to Mr.A.Saravanan Advocate SR.NO.1606/18

+1 C.C. to The Government Pleader, SR.NO. 1854/18

सत्यमेव जयते

W.P.No.409 of 2018

VGI (CO)

VS 03.02.2018

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