



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2018

CORAM :

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

Writ Petition (MD) No.4244 of 2018

and

W.M.P (MD) Nos.4380 to 4382 of 2018

Arasan

... Petitioner

Vs.

1.The District Revenue Officer,
Theni District.

2.The Revenue Divisional Officer,
Periyakulam, Theni District.

3.The Tahsildar,
Andipatti Taluk,
Theni District.

4.Ponnusamy

... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records in pertaining to the 2nd respondent office proceedings in Na.Ka.No.5055/2013/Aa1 dated 07.12.2017 and quash the same and further directing the 3rd respondent to include petitioner's name in the patta in patta No.301 regarding to survey No.27/6 Ramakrishnapuram Village, Andipatti Taluk, Theni District.

For Petitioner

: Mr.S.Balaji

For Respondents

: Mrs.J.Padmavathidevi,
Special Government Pleader.

ORDER

This writ petition has been filed challenging the order passed by the Revenue Divisional Officer, the second respondent herein dated 07.12.2017 granting joint patta in favour of the petitioner and the fourth respondent.

2.Heard Mr.S.Balaji, learned counsel appearing for the petitioner and Mrs.J.Padmavathi Devi, learned Special Government Pleader appearing for the respondents 1 to 3. Notice to the fourth respondent is dispensed with in view of the nature of the order to be passed by this Court.

3.According to the petitioner, the third respondent is taking steps to carry out mutation in the revenue records during the pendency of the revision filed by the petitioner. Hence, the petitioner has filed the present writ petition.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Admittedly, challenging the impugned order, the petitioner has filed a revision before the District Revenue Officer,

the first respondent herein which is now pending, therefore, he cannot challenge the very same order before this Court. Hence, the writ petition is not maintainable. Accordingly, the writ petition is dismissed.

5. Since the revision is pending before the second respondent, the second respondent is directed to pass appropriate orders on the revision filed by the petitioner, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner as well as to the fourth respondent. No costs. Consequently, W.M.P(MD)Nos.4380 to 4382 of 2018 are closed.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The District Revenue Officer,
Theni District.

2.The Revenue Divisional Officer,
Periyakulam, Theni District.

3.The Tahsildar,
Andipatti Taluk,
Theni District.

+One cc to The Special Government Pleader, SR.No.52039

+One cc to M/s.S.Balaji, Advocate, SR.No.52597

sms

RL/6C/2P/KK/SAR1/23/3/2018

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