



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :02.08.2018

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.11506 of 2018

and

W.M.P. (MD) .Nos.10483 and 13700 of 2018

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A.Mohammed Ismail : Petitioner
Vs.

1.The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai, Madurai District.

2.The Thasildar,
Thirumangalam Taluk,
Madurai District.

3.The Village Administrative Officer,
Karadikal Village,
Thirumangalam Taluk,
Madurai District.

4.The Superintendent of Police,
Madurai District, Madurai.

5.The Inspector of Police,
Austinpatti Police Station,
Thirumangalam Taluk,
Madurai District.

6.M.Asaithambi

7.M.Ramuthai

8.M.Petchiammal

9.M.Muthukamatchi

10.M.Chinnakamatchi : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents 1 to 3 not to mutate the revenue records pertaining to patta No.1009 in R.S.No.411/6 and R.S.No.411/5B2 with an total extent of 1 acre 32 cents at Karadikal Village, Thirumangalam Taluk, Madurai District from the name of the petitioner to the names of the respondents 6 to 10 herein or any other names till the disposal of the civil suit pending in O.S.No.45 of 2018, on the file of the Principal District Munsif, Thirumangalam, Madurai District.



For Petitioner : Mr.Devaraj
for Mr.V.P.Chamuraj
For R-1 to R-5 : Mr.J.Gunaseelanmuthiah
Additional Government Pleader
For R-6 and R-7 : Mr.M.Lingadurai

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ORDER

Heard Mr.Devaraj, for Mr.V.P.Chamuraj learned counsel appearing for the petitioner and Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader appearing for the respondents 1 to 5 and Mr.M.Lingadurai, learned counsel appearing for the respondents 6 and 7.

2. The limited prayer sought for in the present writ petition is for a direction to the respondents 1 to 3 to mutate the revenue records pertaining to Patta No.1009 in R.S.No.411/6 and R.S.No.411/5B2 with a total extent of 1 acre 32 cents at Karadikal Village, Thirumangalam Taluk, Madurai District, pending disposal of the civil suit in O.S.No.45 of 2018, on the file of the Principal District Munsif, Thirumangalam, Madurai District. The aforesaid suit has been filed by the respondents 6 and 7 herein, seeking for a relief of partition among other reliefs. Today when the matter was called, the learned counsel appearing for the respondents 6 and 7 submitted that they have no objection if the present prayer is allowed and that they are willing to get along with the suit in O.S.No.45 of 2018.

3. In view of the same, the writ petition stands allowed, with a direction to the respondents 1 to 3 to refrain from mutating the revenue records in Patta No.1009 in R.S.No.411/6 and R.S.No.411/5B2 with a total extent of 1 acre 32 cents at Karadikal Village, Thirumangalam Taluk, Madurai District, pending disposal of the civil suit in O.S.No.45 of 2018. In case both the parties seek any interim relief, it is open to them to approach the Civil Court to make appropriate applications in the aforesaid civil suit. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar(CS-III)

To

1.The Revenue Divisional Officer,
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Madurai, Madurai District.

2.The Thasildar,
Thirumangalam Taluk,
Madurai District.



3.The Village Administrative Officer,
Karadikal Village,
Thirumangalam Taluk,
Madurai District.

4.The Superintendent of Police,
Madurai District, Madurai.

5.The Inspector of Police,
Austinpatti Police Station,
Thirumangalam Taluk,
Madurai District.

+1cc to Mr.M.LINGADURAI, Advocate, SR.No.77130
+1cc to Mr.S.V.P.CHAMU RAJ, Advocate, SR.No.77239
+1cc to M/s.Special Government Pleader,SR.No. 77018

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