



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.17926 of 2018

and

W.M.P. (MD) No.15805 of 2018

R.Venkatachalapathy

... Petitioner

vs.

1. The District Revenue Officer,
Trichy District, Trichy.

2. The Revenue Divisional Officer,
Musiri, Trichy District.

3. The Tahsildar,
Musiri Taluk, Trichy District.

4. Pitchaiyammal

5. Pappathi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorari calling for the records relating to the impugned order passed by the first respondent in MU.MU.A6-3971-2018, dated 21.05.2018 and quash the same.

For Petitioner : Mr.R.Balakrishnan

For Respondents : Mr.C.M.Marichelliah Prabhu

Additional Government Pleader
for R.1 to R.3

O R D E R

The Writ Petition is against the order passed by the first respondent dismissing the revision petition filed by the petitioner and thereby confirming the order passed by the second respondent for change of patta in the name of the respondents 4 and 5.

2. As against the order passed in the revision petition by the first respondent, the appropriate remedy is to approach the competent civil Court. The issue as projected in this writ petition involves adjudication of disputed questions of fact and such disputed questions of fact cannot be decided by this Court which is exercising extraordinary jurisdiction under Article 226 of the Constitution of India. Therefore, the appropriate remedy would be to approach the civil Court to establish the claims, after adducing evidence.



3. In such view of the matter, this Court is of the considered view that the writ petition is not maintainable and therefore, the same is dismissed. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

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Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The District Revenue Officer,
Trichy District, Trichy.
2. The Revenue Divisional Officer,
Musiri, Trichy District.
3. The Tahsildar,
Musiri Taluk, Trichy District.

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.78439

Ssl

MK/SKN/SAR 2/31.08.2018/2P/5C

W.P. (MD) No.17926 of 2018

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