



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.18344 of 2018

A.Duraichamy

... Petitioner

vs.

1.The District Collector
Dindigul District
Dindigul

2.The Revenue Divisional Officer
Revenue Divisional Office
Sub-Collector Road
Dindigul

3.The Tahsildar
Taluk Office
Dindigul East Taluk
Dindigul

4.K.Manji Naikcer @ Pallu Thambi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents Nos.1 and 2 to confirm the Patta in Survey No.180/1B to an extent of 95 cents situated at Markkampatti Village, Dindigul East Taluk, Dindigul District based on the petitioner's representation dated 13.08.2018 within a stipulated time.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.A.Muthu Karuppan

<https://hcservices.ecourts.gov.in/hcservices/> Additional Government Pleader for R1 to R3

**ORDER**

The present writ petition has been filed by the petitioner seeking for a direction to the respondents 1 and 2 to confirm the Patta issued in respect of the property, comprised in Survey No.180/1B, measuring an extent of 95 Cents, situated at Markkampatti Village, Dindigul East Taluk, Dindigul District, based on his representation dated 13.08.2018.

2. This Court is unable to appreciate as to how such a mandamus can lie when enquiry notice was issued by the third respondent calling upon the petitioner to attend the enquiry.

3. According to the petitioner himself, the enquiry was last adjourned to 16.08.2018 and thereafter it was adjourned to some future date. While that being so, the petitioner has approached this Court without waiting for the outcome of the proceedings initiated by the third respondent.

4. This Court does not find any specific cause of action from the averments made in the affidavit filed in support of the writ petition to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, when enquiry is pending at the instance of the third respondent. Therefore, this Court is of the considered view that the writ petition is pre-mature and it cannot be



entertained at present and hence, the same is dismissed. No costs.

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Sd/-
Assistant Registrar (C.O)

/True Copy/

Sub Assistant Registrar

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To:

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sub-Collector Road,
Dindigul.
- 3.The Tahsildar,
Taluk Office,
Dindigul East Taluk,
Dindigul.
- 4.+1cc to Spl Government Pleader SR No.79959

W.P. (MD) No.18344 of 2018

NM/SKN/SAR 3/12.09.18/3P/5C