



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.20473 of 2018

Rengasamy

... Petitioner

vs.

1.The District Collector
Dindigul District
Dindigul

2.The District Revenue Officer
Dindigul District, Dindigul

3.The Revenue Divisional Officer
Dindigul District, Dindigul

4.The Tahsildar
Dindigul West Taluk Office
Dindigul, Dindigul District

5.Ramachandran

6.M.Mani

7.Govindaraj

8.Rajeshwari

9.Lakshmi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus to call for the entire records pertaining to the Impugned order passed by the Second respondent in his proceedings in Na.Ka.No.10007/2017/A4 dated 30.07.2018 and quash the same and consequently direct the 2nd Respondent to issue the patta in petitioner's name with regard to land in Survey No.2352 to an extent of 91 cents situated at Thadikombu Village, Dindigul West Taluk, Dindigul District.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.M.Jeyakumar

Additional Government Pleader for R1 to R4

**ORDER**

The order impugned in this writ petition, dated 30.07.2018, passed by the second respondent would disclose that between the petitioner and the sixth respondent there is a suit pending in O.S.No.411 of 2014 and therefore, the parties are directed to await verdict of the suit pending on the file of the competent Civil Court. However, without waiting for the outcome of the above said civil suit, the petitioner has chosen to approach this Court challenging the order passed by the second respondent.

2. This Court is unable to appreciate as to how the writ petition is maintainable in the interregnum when the *lis* pending between the petitioner and the sixth respondent is being tried by the competent Civil Court in the above pending suit.

3. Moreover, this Court is of the view that the issue raised in this writ petition calls for adjudication of the factual dispute between the petitioner and the sixth respondent, which exercise cannot be done by this Court in its writ jurisdiction.

4. For the above said reasons, the writ petition is not maintainable and the same is, therefore, dismissed. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar(CS-I)

To:

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The District Revenue Officer,
Dindigul District, Dindigul.
- 3.The Revenue Divisional Officer,
Dindigul District, Dindigul.
- 4.The Tahsildar,
Dindigul West Taluk Office,
Dindigul, Dindigul District.

+1 CC To MR.G.GOMATHI SANKAR, Advocate SR. NO. 86642
+1 CC TO The Special Government Pleader SR.NO. 87136

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