



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2019

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5552 of 2019 and
WMP(MD).Nos.4391 and 4392 of 2019

Rathinam

.. Petitioner

Vs.

1.The District Revenue Officer,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.

3.The Zonal Deputy Tahsildar,
Kulathur Taluk,
Pudukkottai District.

4.Chinnaya

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the original records in T.R.No.2018 / 0103 /22/0484466, TR dated 08.06.2018, passed by the third respondent and quash the same.

For Petitioner : Mr.A.V. Rajasekaran

For R1 to R3 : Mr.R. Sethuraman

Special Government Pleader

O R D E R

Heard the learned counsel for the Writ Petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3.

2. The Revenue Divisional Officer, Pudukkottai, by order dated 13.01.2017, held that name of Veemasena mana Vellalar should be entered in the revenue records in respect of the subject property. Questioning the said order, the petitioner herein has filed a revision before the District Revenue Officer, Pudukkottai. Initially, an interim order was granted in favour of the Writ Petitioner. The fourth respondent is figuring as the respondent in the said revision proceedings. On 30.04.2018, the revision filed by



the petitioner herein was dismissed. The reason for dismissal of the petitioner's revision was the pendency of the Suit in O.S.No.135 of 2017, on the file of the Sub Court, Pudukkottai. The parties would abide by the outcome of the suit proceedings.

3. It is not in dispute that the suit is still pending. It is seen that the petitioner has not been granted any interim order in his favour. On account of the dismissal of the revision petition by the District Revenue Officer, Pudukkottai, the order dated 13.01.2017 passed by the Revenue Divisional Officer has sprung back to life. The Revenue Divisional Officer has categorically directed the third respondent that the name of the Veemasena mana Vellalar should be entered in the revenue records. The fourth respondent herein is other son of Veemasenamana Vellalar. When the order of the District Revenue Officer has not been questioned, there cannot be a challenge to the consequential order. Of course, the respective rights of the Writ Petitioner and the fourth respondent will ultimately be decided by the outcome of the Civil Suit filed by the Writ Petitioner. I find no ground to interfere with the order passed by the third respondent.

4. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The District Revenue Officer,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.

3.The Zonal Deputy Tahsildar,
Kulathur Taluk, Pudukkottai District.

+1cc to Mr.A.V. Rajasekaran, Advocate, SR.No.53087

+1cc to Special Government Pleader, SR.No.52984

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SP/29.03.2019/ 2P/6C