



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 25.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.6945 of 2019

and

W.M.P (MD) .No.5534 of 2019

1.Pandi
2.Rajangam
3.Muthulakshmi

... Petitioners

Vs

1.The District Revenue Officer,
Madurai.
2.The Revenue Divisional Officer,
Madurai.
3.The Tahsildar,
Usilampatti Taluk,
Madurai District.
4.Raja
5.Panchammal

... Respondents

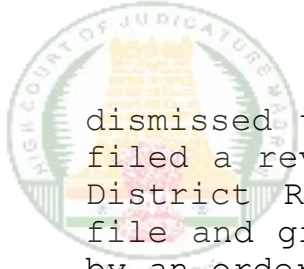
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records relating to the impugned order dated 24.01.2019 passed by the first respondent in Na.Ka.No.55709/2018/G2 and quash the same.

For Petitioner : Mr.J.Barathan
For R1 to R3 : Mr.M.Rajarajan
Government Advocate
For R4 & R5 : Mr.Sureshkumar

ORDER

Heard the learned counsel on either side.

2. The fifth respondent moved an application dated 07.07.2015 before the Tahsildar, Usilampatti for inclusion of the names of the legal heirs of one Ponnusamy Vathiyar in the revenue record pertaining to the subject property. The said request was denied vide order dated 02.11.2017. Thereafter, the fourth respondent, who is non other than the son of the fifth respondent, submitted an application dated 27.02.2018 for the very same request. But this time he was lucky. The Tahsildar by order dated 18.05.2018 allowed the petition for inclusion of the names of the legal heirs of the Ponnusamy as joint pattathars in Patta No.1007. This order was questioned by the petitioners herein before the Revenue Divisional Officer, Usilampatti. The Revenue Divisional Officer, Usilampatti



dismissed the petition by order dated 20.11.2018. The petitioners filed a revision before the District Revenue Officer, Madurai. The District Revenue Officer, Madurai, took the revision petition on file and granted interim order on 14.12.2018. The same was vacated by an order dated 24.01.2019. This order dated 24.01.2019, vacating the interim stay, is assailed in this writ petition.

3. After hearing the learned counsel on either side, I am of the view that interest of justice will be better served by directing the continuance of the interim order till the disposal of the main revision petition. The order impugned in this writ petition is set aside. The interim order granted in favour of the writ petitioner will continue till the disposal of the main revision petition. The District Revenue Officer, Madurai, is directed to dispose of the main revision petition itself, on merits and in accordance with law, after hearing all the interested parties within a period of two months from the date of receipt of a copy of this order.

4. The Writ Petition is allowed accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (WRITS)

// True Copy //

Sub Assistant Registrar (CS I)

To

1. The District Revenue Officer,
Madurai.

2. The Revenue Divisional Officer,
Madurai.

3. The Tahsildar,
Usilampatti Taluk,
Madurai District.

+1 CC to M/s.SPL GP (SR-56595[F] dated 26/03/2019)

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-56490[F] dated 26/03/2019)

W.P. (MD) No. 6945 of 2019

DS/ /SAR- (26.03.2019) 2P 6C