



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2019

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

W.P.(MD) No.21988 of 2018

On behalf of Andisamy @ Sekar
Sumathi

: Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Melur, Madurai District.

3.The Tahsildar,
Tahsildar Office,
Melur, Madurai District.

4.The Village Administrative Officer,
Village Administrative Office,
Saruguvalayapatti Post,
Melur, Madurai District.

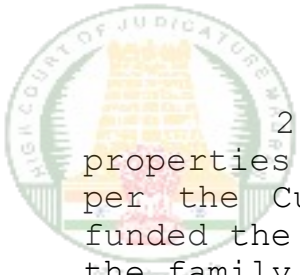
5.T. Sathan

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to cancel the patta application related to the S.Nos.796-2B 1 3, 794-1A, 794-1E which is pending before the 2 to 4 respondents based on the petitioner's representation dated 17.10.2018.

For Petitioner	: Ms.V. Jeyarani
For R1 to R4	: Mr.R. Sethuraman
	Special Government Pleader
For R5	: Mr. S.A. Ajmalkhan

O R D E R



2. The petitioner's case is that the petition mentioned properties were purchased out of the earnings of her husband. As per the Customary Practice, even though the petitioner's husband funded the purchase, they were purchased in the name of the head of the family viz., 5th respondent herein.

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3. It appears that in this case suit in O.S.No.272 of 2018 has already been filed before the District Munsif Court, Melur. When the civil dispute is already pending between the parties, the Revenue authorities will have to abide by the conclusion of the civil suit. It is not open to the respondents 1 to 4 to cancel the patta that is now standing in the name of the 5th respondent before that. At this stage, this Court is not grant any relief to this Writ Petitioner.

4. Accordingly, this Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar (WRITS)

// True Copy //

Sub Assistant Registrar

trp

To

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Revenue Divisional Office, Melur, Madurai District.

3.The Tahsildar,
Tahsildar Office, Melur, Madurai District.

4.The Village Administrative Officer,
Village Administrative Office,
Saruguvalayapatti Post, Melur, Madurai District.

+3CC to M/s.V.JEYARANI , Advocate SR.No.53307.

+1CC to The Special Government Pleader SR.No. 53350.

W.P.(MD) No. 21988 of 2018

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DS/ /SAR- (28.03.2019) 2P 9C