



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2020

CORAM

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.1318 of 2012

and

M.P. (MD) No.1 of 2012

WEB COPY

A.Chinnasamy

...Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District, Madurai.

3.Sundarapandi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of certiorari, to call for the records of the second respondent herein in his proceedings in Na.Ka.No.79567/2011/G2, dated 09.12.2011 and further proceedings and quash the same.

For Petitioner	: Mr.K.Hemakarthiskeyan
For R1 and R2	: Mr.R.Sethuraman Special Government Pleader
For R3	: No Appearance

ORDER

The Writ Petition is filed to quash the proceedings in Na.Ka.No.79567/2011/G2, dated 09.12.2011 passed by the second respondent herein.

2.The learned counsel appearing for the petitioner submitted that during the pendency of this writ petition, the petitioner filed a suit in O.S.No.468 of 2011 before the learned Additional District Munsif, Thirumangalam and the same was decreed on 29.04.2017. Therefore, the second respondent have not jurisdiction to enquire the matter. He further submitted that the petitioner have objections for surveying the land at the instance of the application submitted by the private respondent.

3.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2.

4.In view of the aforesaid decree has been passed by the civil Court, the petitioner has to submit his additional objections before the authority concerned and to place relevant documents also.



5.This Writ Petition is disposed of with a direction to the petitioner to place additional documents before the authority concerned and thereafter, the concerned authority shall consider and pass appropriate order by taking note of the decree passed by the Civil Court and also after hearing the parties concerned. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District, Madurai.

+1 CC to M/s.GP (SR-13449[F] dated 31/07/2020)

W.P. (MD) No.1318 of 2012
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KB(14.08.2020) 2P 4C