



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 05.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE **V.PARTHIBAN**

W.P. (MD) No.1921 of 2021

and

W.P. (MD) Nos.1640 and 1642 of 2021

1.Sakthivel S/o.Bagavathi Thevar
2.Saminathan
3.Sakthivel S/o.Umaiyaandi Thevar
4.Mahalingam
5.Bagavathi @ Chinna Bagavathi
6.Mariappan
7.Rajamani
8.Jeyamani
9.Bagavathi Thevar ... Petitioners

- Vs -

1.The District Collector,
Madurai District, Madurai.
2.The District Revenue Officer,
Madurai,
Madurai District.
3.The Revenue Divisional Officer,
Thirumangalam,
Madurai District.
4.The Tahsildar,
Kallikudi Taluk Office,
Kallikudi,
Madurai District.
5.Chitra
6.Akkammal ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining the impugned order passed by the third respondent in Moo.Mu.No.2972/2020/A3 dated 25.12.2020 and quash the same consequently direct the respondents to restore the



Joint Patta issued in favour of the petitioners in Survey No.110/2D1 with an extent of 0.50.0 Hectares situated at Chinna Ulagani Village, Kallikudi Taluk, Madurai District.

For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.C.Ramesh
1 to 4 Special Government Pleader

ORDER

The case of the petitioners is that the property in Survey No.110/2 was purchased by one Baghavathi Thevar on 14.05.1986 and another property by one Anandan in Survey No.110/2D on 25.04.1989. According to the petitioners, the fourth respondent issued joint patta in favour of the petitioners in Patta no.442. Subsequently, the petitioners appear to have learnt that the patta was transferred in the name of the fifth and sixth respondents. At this, the petitioner had approached the third respondent and the third respondent rejected the request of the petitioner vide his proceedings dated 25.12.2020 stating that there is a civil suit pending in regard to the subject matter of claim. As against that, the present Writ Petition has been filed.

2.The petitioners, in fact, have disclosed multiple transactions in respect of the property in question. This Court is unable to appreciate as to how the petitioner has come into possession of the property and acquired title to the same. The averments contained in the affidavit are too sketchy to understand what is the exact grievance of the petitioner. The petitioners appear to be aggrieved by the transfer of patta in favour of the private respondents and when they approached the third respondent, the same was rejected on the basis of a circular issued by department on 12.03.2018 that if any suit is pending on the subject matter the parties should workout their remedies in the pending Civil suit.

3.This Court is unable to comprehend as what is the suit pending and why the third respondent rejected it by citing a pending suit. The petitioner who is claiming a relief before this Court ought to have disclosed all the information within his knowledge and nothing has been whispered in the affidavit about the pending suit but the petitioner is merely asking to set aside the order of the third respondent. This Court is unable to understand the grounds raised in the Writ Petition for sustaining the challenge to the impugned proceedings of the third respondent. With the kind of worthless grounds, this Court is not inclined to entertain this Writ Petition.



4. Therefore, the above Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

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Sd/
Assistant Registrar(CS-I)

/ /2021
Sub Assistant Registrar(CS-)

To

1. The District Collector,
Madurai District, Madurai.
2. The District Revenue Officer,
Madurai,
Madurai District.
3. The Revenue Divisional Officer,
Thirumangalam,
Madurai District.
4. The Tahsildar,
Kallikudi Taluk Office,
Kallikudi,
Madurai District.

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srm
PK/27.02.2021 : 3P/5C