



WEB COPY

W.P.(MD)No.10985 of 2021

A.R.Rengarajan v. The District Collector

BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 05.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.10985 of 2021

and WMP (MD) No.8621/2021

(Through Video Conferencing)

A.R.Rengarajan

... Petitioner

Vs.

1.The District Collector
Tiruchirappalli District
Tiruchirappalli.

2.The District Revenue Officer cum
Additional District Administrative Magistrate
Tiruchirappalli.

3.The Revenue Divisional Officer,
Lalgudi
Tiruchirappalli District.

4.The Zonal Deputy Tahsildar
Lalgudi Taluk
Lalgudi
Tiruchirappalli District.

5.The Revenue Tahsildar
Lalgudi, Tiruchirappalli District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 2nd respondent in Na.Ka.No.Aa2/21905/2019 dated 05.01.2021 and to quash the same and further directing the 2nd respondent to restore the order of the 3rd respondent in Pa.Mu.no.A2/1434/2019 dated 30.06.2019 within a stipulated time fixed by this Court.

For Petitioner :Mr.G.Sridharan
For Respondents :Mr.M.Lingadurai
Government Advocate

ORDER

This writ petition has been filed challenging the impugned proceedings of the second respondent dated 05.01.2021 and for a

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consequential direction to the second respondent to restore the original order passed by the third respondent in proceedings in Pa.Mu.no.A2/1434/2019 dated 30.06.2019.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondents.

3. This Court has carefully considered the submissions made on either side and the materials available on record.

4. It is seen from the records that there is a substantial suit that has been filed by the petitioner in O.S.No.64/2021 before the sub Court, Lalgudi seeking for the relief of declaration of title and consequential injunction. Therefore, the petitioner has to necessarily work out his remedy only before the civil Court and this Court cannot parallelly decide the dispute, while testing the legality of the order passed by the second respondent. It is made clear that the order passed by the second respondent will not come in the way of the petitioner in independently agitating his rights before the civil Court and the civil Court will not be influenced by the findings of the second respondent and the suit will be heard on its own merits and in accordance with law. Except giving this clarity, no further orders can be passed in this writ petition.

5. This writ petition is disposed of accordingly. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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.

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Tiruchirappalli.

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+1 CC to M/s.G.SRIDHARAN, Advocate (SR-21141[F] dated 05/07/2021)

+1 CC to M/s.SPL GP (SR-21491[F] dated 07/07/2021)

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05.07.2021

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