



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.11105 of 2021

and

W.M.P. (MD).No.8719 of 2021

WEB COPY

M.S.Hajiyar

... Petitioner

Vs.

1. The District Revenue Officer,
Dindigul District, Dindigul.

2. The Revenue Divisional Officer / Sub Collector,
Kodaikanal, Dindigul District.

3. The Tahsildar,
Kodaikanal Taluk, Dindigul District.

4. Salamath Noor Rowther

5. Abuthahir

6.Kadermydeen

7. Ismail

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the first respondent in Pa.Mu.No.4667/2019/A6, dated 22.05.2021 and quash the same and further directing the respondent Nos.1 to 3 to restore the settlement 'A' Register and other revenue records in the name of Munavarsha Rowther in respect of the property in Sy.No.378/B-1A, Kodaikanal Village, Kodaikanal Taluk and Dindigul.

For Petitioner : Mr.R.Balakrishnan

For R-1 to R-3 : Mr.M.Lingadurai
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned proceedings of the first respondent, dated 22.05.2021 and for a consequential direction to the respondents to restore the 'A' Register and other revenue records in the name of the original owner of the subject property.

2. Heard Mr.R.Balakrishnan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 to 3.



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

4. A careful reading of the impugned order passed by the first respondent shows that this dispute requires to be resolved only before a competent Civil Court. The issue involved in this case requires appreciation of evidence and this Court cannot undertake such an exercise in its writ jurisdiction. Therefore, liberty is granted to the petitioner to work out his remedy before the competent Civil Court. Except giving this liberty, no further orders can be passed in this Writ Petition.

5. This Writ Petition stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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 Revenue Officer,
Dindigul District, Dindigul.

2.The Revenue Divisional Officer / Sub Collector,
Kodaikanal, Dindigul District.

3.The Tahsildar,
Kodaikanal Taluk, Dindigul District.

+1 CC to MR.R.BALAKRISHNAN, Advocate (SR-21293[F] dated
06/07/2021)

+1 CC to M/s.SPL GP (SR-21530[F] dated 07/07/2021)

Order made in
W.P. (MD) .No.11105 of 2021
Dated:06.07.2021

KK(12.07.2021) 2P 6C

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