



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.21341 of 2021

and W.M.P(MD)No.17900 of 2021

WEB COPY

S.Susila

... Petitioner

vs.

1.The Revenue Divisional Officer,
Karur, Karur District.

2.The Tahsildar,
Manamangalam Taluk,
Karur District.

3.The Zonal Deputy Tahsildar,
Manamangalam (06) Taluk,
Karur District.

4.Sivakami

5.Sudha

6.Palanichamy

7.Sumathi

8.Geetha

9.Muruganandam

10.Mani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the third respondent in 2021/0103/14/174248, dated 23.08.2021 and 2021/0103/14/174255 dated 27.08.2021 and quash the same as illegal and to consequently direct the respondents 2 and 3 to include the names of the legal heirs of the petitioner's father Natchimuthu in Patta Nos.2417 (S.No.256/2A), 1205 (S.No.256/2C), 1356(S.No.268), 1356(S.No.270), 1969 (S.No.269/1), 1200 (S.No.272), 351(S.No.317/2), 351(S.No.317/7), 351 (S.No.357/2), 351(S.No.367/12), 351(S.No.367/4), 351(S.No.999), 1176 (S.No.273), 1204(S.No.350), 1784(S.No.316/2A), 1046(S.No.343), 1018 (S.No.1002/3), 577(S.No.1011/A1), 577(S.No.1011/A1), 1143 (S.No.1011/A1) and 971 (S.No.275) of Aandankovil Village, Manamangalam Taluk, Karur District.

For Petitioner : Mr.I.Velpradeep

For R1 to R3 : Mr.D.Ghandiraj
Special Government Pleader



O R D E R

Mr.D.Ghandiraj, learned Special Government Pleader, takes notice on behalf of respondents 1 to 3.

2.Let me not prolong the issue any further. The petitioner herein had filed a suit for partition seeking separate division and separate possession of the particular share for which she is entitled. Suit for partition is still pending. Pending that particular suit, the petitioner had applied for grant of patta. The same had been rejected on the ground that the suit for partition is pending. The revenue authorities can take decisions only after a civil suit has been decided and the rights of the parties have been adjudicated in manner known to law.

3.The learned counsel for the petitioner states that she is aggrieved over the fact, some of the co-sharers are attempting or have already alienated portions of shares.

4.That is an issue, which can be pressed before the learned Judge, where the suit is now pending. But this Court sitting on writ jurisdiction cannot enter into any discussion on that particular aspect.

5.Granted the petitioner every liberty to approach the civil Court for appropriate relief, the writ petition stands dismissed. Though the writ petition is dismissed, it would not come in the way of the petitioner seeking any necessary relief before the civil Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

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 Revenue Divisional Officer,
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2.The Tahsildar,
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Karur District.

3.The Zonal Deputy Tahsildar,
Manamangalam (06) Taluk,
Karur District.

+1 CC to M/s.SPL GP (SR-37410[F] dated 06/12/2021)

W.P. (MD) No.21341 of 2021
and

W.M.P (MD) No.17900 of 2021
02.12.2021

nsn(CO)
TR(14.12.2021) 3P 5C