



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.16124 of 2022
and W.M.P.Nos.15503 and 15505 of 2022

G.Duraisamy

.. Petitioner

vs

1. The Commissioner of Land Administration,
2nd Floor, Ezhilagam,
Chepauk, Chennai.05.

2. The District Collector,
Krishnagiri District.

3. The Block Development Officer,
Village Panchayat, Panchayat Union,
Kaveripattinam.

4. The Tahsildar,
Taluk Office, Krishnagiri.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records of the impugned order dated 28.05.22 passed by the 2nd respondent in his proceedings Na.Ka.9090/2022/H3 and consequential Dispossession Notice issued by the 3rd respondent his proceedings Na.Ka.No.526/2020/A3 dated 10.6.22 and quash the same.

For the Petitioner :Mr.Manoharan

For the Respondents:Mr.J.Ravindran

Addl. Adv General
assisted by Mr.A.Selvendran
Spl.G.P. for RR 1, 2 and 4
:Mr.P.Muthukumar
State Govt. Pleader for R-3



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ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

The writ petition has been filed to challenge the order dated 28.05.2022 passed by the second respondent and the consequential dispossession notice dated 10.06.2022 issued by the third respondent.

2. Learned Additional Advocate General submits that a revision petition against the order has been filed by the petitioner, thus, simultaneous proceedings are not permissible and the writ petition has to be dismissed on that ground.

3. Learned counsel for the petitioner has conceded that a revision petition against the order dated 28.05.2022 has been filed, but the matter has not been taken up for hearing and in the meanwhile, the respondents are adamant to dispossess the petitioner, thus, if the petitioner is non-suited on the ground of pendency of the revision petition, at least a direction be given to the revisional authority to decide the revision petition within a time frame and at the same time to hear and pass an order on the stay application.

4. We have considered the rival submission and we find that a litigant cannot pursue two remedies simultaneously, one before the revisional authority and thereupon, by way of a writ petition to challenge the same order.

5. In view of the above, the present writ petition would not be maintainable. However, it is disposed of with a direction to the revisional authority to expedite the hearing of the revision petition and decide the same within a period of two months from the date of receipt of a copy of this order. During the intervening period, it would hear and decide the stay application, if any preferred by the petitioner. The petitioner would be at liberty to raise all the legal and factual issues before the revisional authority. No costs. Consequently, W.M.P.Nos.15503 and 15505 of 2022 are closed.

Sd/-

Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar



To:

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1. The Commissioner of Land Administration,
2nd Floor, Ezhilagam,
Chepauk, Chennai.05.
2. The District Collector,
Krishnagiri District.
3. The Block Development Officer,
Village Panchayat, Panchayat Union,
Kaveripattinam.
4. The Tahsildar,
Taluk Office, Krishnagiri.

+1cc to the Government Pleader SR.No.42162, 42017

W.P.No.16124 of 2022

MG(CO)
CB(07/07/2022)