



W.P.No.40095 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.40095 of 2016
and
W.M.P.No.34142 of 2016

Punitha Kumari

... Petitioner

VS.

1.The District Collector,
Tiruppur District.

2.The Tahsildar,
Palladam, Tiruppur Distict.

3.K.R.Ashamani

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records pertaining to notice in Na.Ka.No.3058/2015/A2 dated 23.09.2016 issued by the 2nd respondent and quash the same.

For Petitioner : Ms.S.Nandhini Devi

For Respondents : Mrs.V.Yamunadevi,
Spl. Govt. Pleader for R1 and R2

Mr.M.Velmurugan for R3



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ORDER

Though the challenge in the writ petition is to the notice requiring the petitioner to appear before the Tahsildar for an enquiry, it is now learnt that the 3rd respondent, a rival claimant has filed a suit in O.S.No.262 of 2019 seeking partition and separate possession of the property and the petitioner has been impleaded as 4th defendant in the said suit.

2. In view of the pendency of the suit, the Tahsildar cannot proceed with the enquiry regarding grant of patta. Hence, the impugned notice is quashed and the writ petition is allowed. The parties will abide by the result of the civil proceedings. No costs. Consequently, the connected writ miscellaneous petition is closed.

13.07.2022

dsa

Index: No

Internet: Yes

Speaking order



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To
WEB COPY

- 1.The District Collector,
Tiruppur District.
- 2.The Tahsildar,
Palladam, Tiruppur Distict.



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R.SUBRAMANIAN, J.

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