



W.M.P.No.29701 of 2022 In
W.P.No.15750 of 2014

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W.P.No.15750 of 2014

M.DHANDAPANI,J.

This petition has been filed seeking to recall the order of this Hon'ble Court dated 05.09.2022 passed in WP.No.15750 of 2014.

2.The learned counsel appearing for the petitioner submitted that the petitioner/ R4 in the writ petition made application for change of patta from the name of the writ petitioners/ respondents 1 and 2 father to his name and the Tahsildar recommended for the same and the Revenue Divisional Officer confirmed the Tahsildar's recommendation and challenging the same the respondents 1 and 2 filed the writ petition.

3.The learned counsel appearing for the petitioner further submitted that this Court on 05.09.2022, on the basis of the submission made by the learned counsel who appeared on behalf of the respondents 1 and 2/ writ petitioners that suit in O.S.No.249 of 2013 filed by the first respondent/ first writ petitioner was decreed in his favour and O.S.No.101 of 2013 filed by the fifth respondent in the



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writ petition against the writ petitioners was dismissed for default allowed the writ petition, however, the fact remains that O.S.No.249 of 2013 is still pending on the file of the Sub Court, Kallakurichi.

4.The learned counsel appearing for the respondents 1 and 2 did not dispute the facts submitted by the learned counsel appearing for the petitioner.

5.In view of the above, the order dated 05.09.2022 made in W.P.No.15750 of 2014 is recalled and the writ petition in W.P.No.15750 of 2014 is disposed of in the following terms:

(i) Since the suit in O.S.No.249 of 2013 is pending consideration before the Sub Court, Kallakurichi, this Court is not inclined to interfere with the order impugned in the writ petition.

(ii)Hence, without interfering with the order impugned in the writ petition, this Court grants liberty to the writ petitioners/ respondents 1 and 2 herein and the petitioner/ fourth respondent in the writ petition to make fresh application before the Revenue Officials for mutation of revenue records after disposal of the suit in



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O.S.No.249 of 2013.

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(iii)The Sub Court, Kallakurichi, is directed to decide the issue inbetween the writ petitioners/ respondents 1 and 2 herein and the petitioner/ fourth respondent in the writ petition, without being influenced by any of the observations made by this Court in the order dated 05.09.2022 in W.P.No.15750 of 2014.

6.This miscellaneous petition is accordingly ordered.

21.11.2022

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