



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 31.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P (MD) No.7462 of 2010
and
MP (MD) No.1 of 2010

S.Saravanan
represented by his power agent,
N.Kumaragurubaran

... Petitioner

Vs

- 1.The District Revenue Officer,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Palani Taluk,
Dindigul District.
- 3.The Tahsildar,
Palani Taluk,
Dindigul District.
- 4.Arumugam (died)
- 5.Thangakili @ Thangasamy
- 6.Mariappan @ Marimuthu
- 7.Chinnasamy @ Chinnakudumban
- 8.Arumugam
- 9.Ponnusamy
- 10.Duraipandi @ Karupannan
- 11.Palanisamy
- 12.Karthikeyan



13.Jeyashankar @ Shankar

14.Palanivelu

15.Sundarapandian

16.Periyakannan

17.Chinnakannan

18.Gopal

19.Paranjothi

... Respondents

[R14 to R19 are substituted for the deceased 4th respondent vide order dated 27.03.2019 in WMP(MD)No.5847 of 2019]

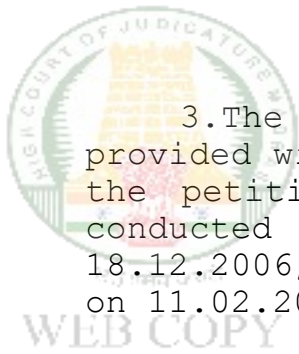
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified mandamus calling for the records pertaining to Ci.Ma(Pa.Ma)No.12/06/B4, dated 11.02.2008 on the file of the District Revenue Officer and quash the same for reversing the order made in Ci.Pa.No.13/04/A1, dated 30.04.2005 on the file of the Revenue Divisional Officer, Palani and consequently direct the first respondent to conduct fresh enquiry.

For Petitioner	: Mr.P.Thiyagarajan
For Respondent	: Mr.D.Gandhiraj,
Nos.1 to 3	Special Government Pleader
For Respondent	: Mr.Karthik
No.5	

ORDER

The petitioner is a subsequent purchaser of the trust property, which was purchased from one Mariappan. The subject properties are trust properties and there is a dispute among the trustees. The District Revenue Officer, Dindigul has passed an order in R.P(PT) No.12/06/B4, dated 11.02.2008, cancelling the patta issued in favour of the private parties and passed an order in favour of the trust. One of the vendors, who purchased the property, based on the earlier order of granting patta, challenged the order of the DRO, that he was not provided with sufficient opportunity.

2.This writ petition was dismissed as against respondents 9 to 11 and a restoration petition in W.M.P(MD)No.7575 of 2019 was filed and the same was allowed on 29.04.2019.



3.The only grievance of the petitioner is that he was not provided with sufficient opportunity. In the proceedings of the DRO, the petitioner is shown as respondent No.7 and the enquiry was conducted on 30.10.2006, 01.07.2006, 13.11.2006, 27.11.2006, 18.12.2006, 29.01.2007 and 12.03.2007 and final orders were passed on 11.02.2008.

4.The learned Special Government Pleader appearing for the respondents submits that on the very same subject property there are two suits pending before the Sub Court, Palani, in O.S.Nos.64 of 2006 and 120 of 2009.

5.It is seen that the DRO, Dindigul has provided sufficient opportunity to the petitioner and thereafter only passed the impugned orders. If the petitioner is still aggrieved, it is always open to him to file necessary suit before the appropriate civil court.

6.In view of the above discussion, this Court is not inclined to entertain this writ petition and accordingly, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dsk

To

- 1.The District Revenue Officer,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Palani Taluk,
Dindigul District.
- 3.The Tahsildar,
Palani Taluk,
Dindigul District.

+1 CC to M/s.S.KARTHIK, Advocate (SR-15988[F] dated 01/04/2022)

+1 CC to M/s.SPL GP (SR-16083[F] dated 01/04/2022)

+1 CC to M/s.P.THIYAGARAJAN, Advocate (SR-16445[F] dated 04/04/2022)

W.P(MD)No.7462 of 2010

31.03.2022