



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.10813 of 2012

and

M.P(MD)No.2 of 2012

R.Jeyaraman

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Madurai District.

3.The District Supply Officer,
Madurai District,
Madurai.

4.The Tahsildar,
Vadipatti,
Madurai District.

5.The deputy Tahsildar,
Vadipatti,
Madurai District.

6.R.Alagan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the order passed by the fifth respondent in proceeding No.Nil dated 18.06.2012 and its consequential order passed by the fourth respondent in Na.Ka.No.Nila Thava.No.36/2012, both dated 18.06.2012 and to quash the same as illegal and further forbearing the respondents 2 to 5 from deciding the civil dispute for the land under S.No.150/6B, at Kulasekarankottai Village, Vadipatti Taluk, Madurai District.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.N.Muthu Vijayan

Special Government Pleader
for R1 to R5

No Appearance for R6



ORDER

The present writ petition has been filed challenging two communications issued by the respondents 4 and 5, under which recommendations have been made to the second respondent to conduct a fresh enquiry with regard to cancellation of patta standing in the name of the writ petitioner.

2. The main grievance of the petitioner is that the respondents four and five have considered the title deeds of the petitioner and the sixth respondent in a detailed manner and they have arrived at a conclusion with regard to the title of the parties. According to the learned counsel for the petitioner, the revenue authorities have no jurisdiction, whatsoever to go into the disputed issue of title between the parties and to interfere in a civil dispute. However, from the impugned orders, I find that they are not orders, but only recommendations to Revenue Divisional Officer to conduct a fresh enquiry and cancel the patta in the name of the petitioner.

3. In the light of the above said facts, there shall be a direction to the Revenue Divisional Officer to go into the issue without being influenced by the findings of the respondents 4 and 5 and pass an independent order after hearing the petitioner and the sixth respondent.

4. With the above said observations, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Madurai District.

3.The District Supply Officer,
Madurai District,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The Tahsildar,
Vadipatti,
Madurai District.

5.The deputy Tahsildar,
Vadipatti,
Madurai District.

+1 CC to M/s.SPL.GP (SR-26750[F] dated 20/06/2022)

Order made in
W.P (MD) No.10813 of 2012
Dated:
17.06.2022

MK/27.06.2022/3P/7C