



W.P.(MD).No.14293 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.08.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.14293 of 2013

and

M.P(MD)No.1 of 2013

S.Murugan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli.

2.The Zonal Deputy Thasildhar,
Radhapuram Taluk,
Tirunelveli District.

3.Patchaimal @ Paulraj Nadar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the second respondent from conducting enquiry in respect of change of patta in pursuant to his notice in A3/RTR/15392/12, dated 01.02.2013 and consequently direct the second respondent to defer the above proceedings until disposal of the suit in O.S.No.267 of 2010 pending on the file of the Principal District Munsif Court, Valliyoor pending on the file of the Principal District Munsif Court, Valliyoor.



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For Petitioner : Mr.H.Arumugam
For R-1 & R-2 : Mr.N.Muthuvijayan
Special Government Pleader
For R-3 : M/s.V.Muthukamatchi

ORDER

The present Writ Petition has been filed challenging the second respondent herein from conducting any enquiry in the patta proceedings until the suit in O.S.No.262 of 2010 pending on the file of the Principal District Munsif Court, Valliyoor is disposed of.

2. According to the learned Special Government Pleader for the first and second respondents, the above said suit filed by the petitioner was dismissed on merits on 19.10.2019. However, the learned Counsel for the writ petitioner submits that challenging the said judgment and decree, they have filed A.S.No.80 of 2019 on the file of the Sub Court, Valliyoor. Hence, the prayer sought for in the present writ petition has become infructuous. However, the petitioner is at liberty to approach the revenue authorities again depending upon the result in



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A.S.No.80 of 2019. The revenue authorities can proceed further with the enquiry. However, any order passed by the revenue authorities will be subject to the result of A.S.No.80 of 2019 on the file of the Sub Court, Valliyoor.

3. The writ petition stands closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes / No
Internet : Yes / No
btr

To

1.The District Collector,
Tirunelveli.

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Tirunelveli District.



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R.VIJAYAKUMAR, J.

btr

Order made in
W.P.(MD).No.14293 of 2013

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