



W.P(MD)No.14677 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2022

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THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.14677 of 2013

and

M.P(MD)Nos.1 to 3 of 2013

Subaitha Begum

... Petitioner

Vs.

1.The District Collector,
Trichy District.

2.The Revenue Divisional Officer,
Thiruchirapalli District.

3.The Tahsildar,
Manapparai,
Trichy District.

4.Ramasubramanian

... 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 records pertaining to impugned order in Na.Ka.No. 7.2340-2013 dated 19.07.2013 on the file of the 2nd respondent and quash the same as illegal, unjust, without jurisdiction and consequently restraining the Respondents No.2 & 3 from inclusion of names of any



W.P(MD)No.14677 of 2013

person in the existing petitioner's pattas No.3437 and 2853 in Kannudaiyanpatti Village, Manapparai Taluk, Tiruchy District pending disposal of the civil suit in O.S No.32 of 2013 on the file of the District Munsif Court, Manapparai.

For Petitioner : Mr.S.A.Ajmal Khan
For R1 - R3 : M/s.D.Farjana Ghoushia
Special Government Pleader
For R4 : Mr.K.Prabhakar Raguvaran Gopalan

ORDER

The petitioner had approached this Court being aggrieved against the order passed by the 3rd respondent/Revenue Divisional Officer, Trichy, dated 19.07.2013, whereunder, he had set aside the order of the Tahsildar, dated 18.04.2013 and restore the order passed by the Deputy Tahsildar, dated 07.01.2013.

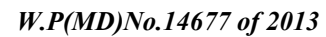
2. The case of the petitioner is that he is the owner of the property by way of a purchase in the year 1995. Since there is a dispute between him and the 4th respondent herein, he had preferred a suit in O.S.No.32 of 2013 on the file of the Additional District Munsif Court, Manapparai seeking for a relief of permanent injunction against the 4th respondent



W.P(MD)No.14677 of 2013

from interfering with his possession and enjoyment. In the meantime, the Deputy Tahsildar, by his order, dated 07.01.2013 had directed transfer of patta in the name of the 4th respondent, which was challenged by the petitioner before the Tahsildar, namely the 3rd respondent. The 3rd respondent had directed the parties to approach for grant of patta based on the pending suit in O.S.No.32 of 2013 on the file of the Additional District Munsif Court, Manapparai. The 4th respondent herein being aggrieved against the order of the 3rd respondent, had approached the 2nd respondent. The 2nd respondent in and by his impugned order, had set aside the order of the Tahsildar and restored the order of the Deputy Tahsildar.

3. It is brought to the notice of the Court by the learned counsel appearing for the petitioner and the 4th respondent, pending this writ petition, the suit in O.S.No.32 of 2013 has been decreed in favour of the writ petitioner on 03.11.2017 and appeal suit filed by the 4th respondent has also been dismissed.



5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes / No

4/6



W.P(MD)No.14677 of 2013

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K.KUMARESH BABU,J.

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