



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.7294 of 2012

and

M.P(MD)No.1 of 2012

A.Ashok

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Department of Revenue,
Fort St.George,
Chennai-9.
- 2.The District Collector,
District Collector Campus,
Sivagangai District.
- 3.The District Revenue Officer,
District Collector Campus,
Sivagangai District,
Sivagangai.
- 4.The Revenue Divisional Officer,
Devakottai Division,
Devakottai,
Sivagangai District.
- 5.The Thasildar,
Devakottai,
Sivagangai District.
- 6.A.N.Sivalingam Chettiar
- 7.Valliammaiachi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned order in Na.Ka.B1-3284-2012 dated 26.04.2012 on the file of the third respondent and quash the same as illegal.



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For Petitioner : Mr.S.Vasanth
For Mr.T.Lajapathi Roy
For R1 to R5 : Mr.S.Shanmugavel
Additional Government Pleader
For R6 & R7 : Mr.A.N.Ramanathan

ORDER

The present writ petition has been filed challenging the order passed by the District Revenue Officer under which the patta standing in the name of the petitioner was transferred in the name of the respondents 6 and 7.

2. Admittedly, a civil suit in O.S.No.2 of 2012 was pending on the file of District Court, Sivagangai, relating to the same survey number between the same parties. The said suit was decreed in favour of the respondents 6 and 7 herein on 25.08.2021.

3. The learned counsel for the petitioner submits that the petitioner had filed first appeal before this Court and it is yet to be numbered. Since there is decree in favour of the respondents 6 and 7 as on today, the patta granted in favour of the respondents 6 and 7 by the District Revenue Officer cannot be disturbed at this moment.

4. The petitioner is directed to approach the revenue authorities depending upon the result of the first appeal that is said to be pending before this Court.

5. With the above observation, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

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Sub Assistant Registrar(CS)

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1.The Secretary, State of Tamil Nadu,
Department of Revenue,
Fort St.George,
Chennai-9.

2.The District Collector,
District Collector Campus,
Sivagangai District.

3.The District Revenue Officer,
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Devakottai,
Sivagangai District.

5.The Thasildar,
Devakottai,
Sivagangai District.

+1 CC to M/s.AN. RAMANATHAN, Advocate (SR-27606[F] dated 23/06/2022)

+1 CC to M/s.SPL.GP (SR-27695[F] dated 23/06/2022)

W.P (MD) No.7294 of 2012
22.06.2022

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