



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2022

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP(MD).No. 804 of 2022

Irudaya Mary

.. Petitioner

Vs.

1.The District Revenue Officer,
District Revenue Officer,
Sivagangai.

2.Revenue Divisional officer,
Revenue Divisional Office,
Devakottai.

3.The Tahsildar,
Karaikudi.

.. Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to call for the records of the District Munsif, Karaikudi made in O.S.Sr.No.122 of 2022 and set aside the order of rejection, dated 25.03.2022.

For Petitioner ... Mr.P. Saravanakumar

For Respondent ... Mr. A. Kannan

Additional Government Pleader

ORDER

The revision petitioner / plaintiff has filed this revision to set aside the rejection order, dated 25.03.2022 passed by the District Munsif, Karaikudi made in un numbered O.S.Sr.No.122 of 2022.

2. Heard the learned counsel appearing for the petitioner. Since no adverse order passed against the respondents, notice to the respondents is not necessary.

3. The revision petitioner / plaintiff has filed the said suit for issuing a patta in his name and also the assignment order, after calculating the value of the property and the same was rejected on the ground that as per Section 14 of the Tamil Nadu Land Encroachment Act, there is an express bar to entertain the civil suit of this kind.



4. The District Munsif has also referred the Judgment of this Court made in **Law Finder ID: 865386, between (Ranjene Venkatraman Vs. District Collector, Thanjavur)** wherein it is held that when the authorities have taken steps under the Tamil Nadu Land Encroachment Act, the suit itself is not maintainable as the jurisdiction of the civil court is ousted under Section 14 of the Act and also as per Section 9 of CPC the Civil Court jurisdiction is also barred. So, the District Munsif has rightly rejected the plaint and hence, this Court has not find any valid reason to interfere with order passed by the Court below.

5. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

1.The District Munsif, Karaikudi.

2.The District Revenue Officer,
District Revenue Officer,
Sivagangai.

3.Revenue Divisional officer,
Revenue Divisional Office,
Devakottai.

4.The Tahsildar,
Karaikudi.

+1 CC to M/s.SPL.GP (SR-17874[F] dated 11/04/2022)

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