



W.P(MD)No.10818 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10818 of 2022

Vedamanikam

... Petitioner

Vs

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

2.The Tahsildar,
Kalaiyarkovil,
Sivagangai District.

3.Vedapackiyam (Died)

4.The Sub Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

5.V.Vedhamuthu

6.V.Arulsamy

7.V.Santhiyagu @ Thiraviyam

8.S.Sevanthiammal

(R.5 to R.8 are impleaded vide
Court order dated 30.06.2022 in
W.M.P(MD)No.9641 of 2022 in
W.P(MD)No.10818 of 2022)

... Respondents



W.P(MD)No.10818 of 2022

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the second respondent to implement the order passed by the first respondent in his proceedings in PA.MU.P4-13194-2015 dated 28.07.2018 and remove the name of the third respondent from the A-Register in respect of Survey No. 48/1, 73/8A and 73/8B situated at Chembar Village, Periyakannanoor Post, Kalaiyarkovil Taluk, Sivagangai District and consequently, direct the second respondent to issue a separate patta in favour of the petitioner's name, within a stipulated time frame fixed by this Court.

For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mr.M.Prakash
Additional Government Pleader
for R.1, R.2 & R.4

R.3 Died

Mr.N.Rahamadhullah for R.4 to R.8

ORDER

Heard the learned counsel on either side.

2. All that the petitioner wants is only an implementation of the order dated 28.07.2018 passed by the District Revenue Officer, Sivagangai. By the said order, the District Revenue Officer, Sivagangai had called upon both the parties to move the jurisdictional civil Court for establishing their rights. In terms thereof, the writ petitioner's father had filed O.S.No.44 of 2019 before



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the District Munsif Court, Sivagangai. The third respondent had filed O.S.No. 97 of 2018 before the very same Court.

3. It is seen that neither of the parties had obtained any interim order therein. The petitioner further states that he will abide by the outcome of the civil suits filed by the third respondent and his father. The petitioner's father / Arokiyam as well as the third respondent Vedapackiyam had passed away. The writ petitioner and the respondents 5 to 8 are presently contesting the respective proceedings. The rights of the parties will have to necessarily abide by the outcome of the civil proceedings. Till the civil suit proceedings are finally concluded, the order of the first respondent will have to be implemented. The question of issuing patta in favour of the writ petitioner at this stage does not arise. The second respondent shall carry out to implement the said order within a period of four weeks from the date of receipt of a copy of this order.

4. This writ petition is partly allowed. No costs.

22.08.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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To

- 1.The District Revenue Officer,
Sivagangai,
Sivagangai District.
- 2.The Tahsildar,
Kalaiyarkovil,
Sivagangai District.
- 3.The Sub Inspector of Police,
Kalaiyarkovil Police Station,
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