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W.P.(MD)NO.8811 OF 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8811 of 2019

C.Ayyanar

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
3. The Revenue Divisional Officer,
Thiruthangal, Sivakasi.
4. The Tahsildar,
Tahsildar Office,
Sivakasi.

5. Thangavellammal

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th respondent herein to cancel the patta granted in favour of the 5th respondent based on the representation dated 25.07.2018.



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For Petitioner : Mr.M.Vijaya Rathinam

For R1 to R-4 : Mr.A.K.Manikkam,
Special Government Pleader.

For R-5 : Mr.M.Kannan

* * *

ORDER

Heard the learned counsel on either side.

2. It is not in dispute that as on date the decree passed by the jurisdictional civil Court is in favour of the fifth respondent. However, the petitioner has filed S.A.(MD)No.233 of 2017 and the same is still pending before this Court. The petitioner has not obtained any interim order in his favour.

3. Therefore, I am not inclined to direct the revenue authority to cancel the patta issued in favour of the fifth respondent. However, the rights of the parties will abide by the outcome of the aforesaid second appeal.



4. With this observation, this writ petition stands disposed of. No costs.

12.12.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

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3. The Revenue Divisional Officer,
Thiruthangal, Sivakasi.
4. The Tahsildar,
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G.R.SWAMINATHAN,J.

PMU

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