



W.P(MD)No.4521 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD).No.4521 of 2015

and

M.P(MD).No.1 of 2015

Tamilarasi,

: Petitioner

Vs

1. The District Revenue Officer,
O/o the District Revenue Office,
Thanjavur District.

2. The Revenue Divisional Officer,
O/o the Revenue Divisional Office,
Thanjavur.

3. Muthukannu,

: Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in Tha.Pa.Vu(2) 21/2010 dated 29.12.2014 of the District Revenue Officer, the 1st Respondent herein and quash the same



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in respect of the property situated in Survey No. 527/2B1 and 527/2B2 of an extent of 2 Acres 8 cents situated at Ambalapattu North village, Orathanadu Taluk, Thanjavur District and consequently direct the 1st Respondent to conduct fresh enquiry.

For Petitioner : Mr.S.Siva Thilakar

For R1 and R2 : Mr.B.Saravanan

Additional Government Pleader

For R3 : Mr.G.Karnan

ORDER

The present writ petition had been filed challenging the order passed by the first respondent, under which, he/she has refused to entertain the request for transfer of patta on the ground that a civil suit is pending.

2.According to the learned Counsel appearing for the petitioner, a civil suit with regard to the disputed survey number was filed in O.S.No.52 of 2009, on the file of the learned District Munsif cum Judicial Magistrate, Orathanadu. The said suit was decreed as prayed for. As against which, the defendant filed an Appeal and an order of remand had been passed by the first



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Appellate Court. Challenging the same a civil miscellaneous appeal was filed and the same is pending.

3.The learned Counsel appearing for the first respondent confirmed the pendency of the above said proceedings.

4.In view of the pendency of the civil proceedings and the order passed by the first Appellate Court, I do not find illegality or infirmity in the order passed by the first respondent. Therefore, this writ petition stands disposed of. No costs. However, the petitioner is at liberty to approach the revenue authorities after the disposal of the civil proceedings.

5.Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
lr



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R.VIJAYAKUMAR, J.

lr

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