



W.P.(MD)No.4566 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4566 of 2017

and

W.M.P.(MD)No.3649 of 2017

S.Kasi

... Petitioner

Vs

1.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

2.Murugan
3.Maheswari
4.Kasiammal
5.Jeyasingh
6.Mayazhagan
7.Chervaikaran
8.Karuppasamy

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the proceedings of the impugned order of the first respondent in Revision Petition A2/32/2015, dated 08.02.2017 served on 22.02.2017 and quash the same.

For Petitioner : Mr.I.Robert Chandrakumar

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R.1



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Mr.D.Srinivasa Raghavan for R.2 to R.6

Mr.C.Masilamani for R.7

ORDER

Heard the learned counsel on either side.

2. The patta in respect of the petition mentioned property stood in the joint names of the writ petitioner and the respondents 2 to 6. Seeking deletion of the names of the private respondents, the petitioner moved the Revenue Divisional Officer, Tirunelveli. Vide order dated 10.10.2014, the petitioner's revision was accepted and changes made in the revenue records were set aside. In other words, the name of the petitioner was exclusively restored. Questioning the same, the respondents 2 to 6 filed a revision before the District Revenue Officer, Tirunelveli. By the impugned order, dated 08.02.2017, the order of the Revenue Divisional Officer, Tirunelveli, was set aside and the revision was allowed. Challenging the same, the writ petition came to be filed.

3. Though the counsel on either side would strongly canvas their respective cases, I am of the view that since disputed facts are involved and it would be appropriate that the jurisdictional civil Court decides the issue. At this stage, the counsel on either side inform the Court that the respondents 2 to



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6 have filed the O.S.No.216 of 2015 before the Additional Sub Court, Tirunelveli, against the petitioner as well as the respondents 7 and 8. The relief of declaration has also been sought. When the jurisdictional civil Court is seized of the issue, it is just and proper that the matters are adjudicated by it.

4. Leaving open the rights of both the parties, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

21.06.2022

Index : Yes / No
Internet : Yes/ No
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To

The District Revenue Officer,
Tirunelveli District,
Tirunelveli.



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G.R.SWAMINATHAN, J.

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