



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.7851 of 2017

M.Amanullakhan

... Petitioner

Vs.

1.The District Revenue Officer and
Additional District Magistrate,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Keelakarai Taluk,
Ramanathapuram District,
Ramanathapuram.

3.Abdul Rahim

4.Seeni Abdul Latif

5.Jafarulla

6.Mohammed Dhasin

7.Sabura Bivi

8.Seeni Jalaludeein

9.Mohammed Iqbal

10.S.Arif Khan

11.S.Thari Mohammed

12.D.Sayed Ali Fathima

13.S.Seeni Bir

14.Mujaheer

15.Seyyad Rabiya

16.Shahjahan

17.Rahyanath Bivi

18.M.S.Kabeer

19.Jemila Bivi

20.Thaneena Begum

21.Ajmal Khan

22.Ayisha Ammal

23.Thurathu Nisha

24.Seyyad Mohammed

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent's impugned order No.P.Mu(P6)21707/15 and P.Mu(P6) 9699/2016 dated 30.11.2016 and quash the same and direct the 1st respondent to issue patta in the name of the petitioner for survey No.137 an extent of 3 acres 70 cents survey No.138/2 extent of 10 acres 70 cents in Periyapattinam Village, Keelakarai Taluk, Ramanthapuram District within the period as stipulated by this Court.



For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader for R1 & R2

ORDER

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the respondents 1 and 2. Notice was not issued to the private respondents.

2.In respect of the petition mentioned property, the petitioner filed O.S.No.29 of 2004 on the file of the Sub Court, Ramanathapuram against the private respondents herein. The suit was dismissed on 17.10.2014. Questioning the same, the petitioner filed A.S.No.4 of 2015 before the District Court, Ramanathapuram. It is stated that the first appeal is still pending. In the meanwhile, the petitioner had moved the revenue authority seeking mutation of patta in his favour. The first respondent rightly noted that when the petitioner lost before the Civil Court, it is not possible for the revenue authority to take a contra view. Therefore, the order impugned in the writ petition is sustained. However, the rights of the parties will necessarily abide by the outcome of the civil appeal filed by the petitioner before the District Court, Ramanathapuram.

3.With these observations, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

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To:

1.The District Revenue Officer and
Additional District Magistrate,
Ramanathapuram District, Ramanathapuram.

2.The Tahsildar,
Keelakarai Taluk,
Ramanathapuram District, Ramanathapuram.

+1 CC to M/s.SPL.GP (SR-27148[F] dated 21/06/2022)

W.P (MD) No. 7851 of 2017
17.06.2022

RD(05.07.2022) 2P 4C

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