



W.P(MD)No.28973 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28973 of 2022

and

W.M.P(MD)No.22952 of 2022

M.Sherif

... Petitioner

Vs

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The District Revenue Officer,
O/o.Collectorate Building,
Tirunelveli District.

3.The Sub Collector,
Cheranmahadevi,
Revenue Division,
Tirunelveli District.

4.The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.

5.A.S.Manoharan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the fourth respondent to not to mutate patta for disputed Survey No. 136/1A2B of Pappakudi Village (Part-I)



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till the competent authority (as per G.O.(Ms).No.385, Revenue (Public) Department, Dated 17.08.2004) decides the issue in accordance with law and facts.

For Petitioner : Mr.K.M.Riyaz Ahamed

For Respondents : Mr.M.Lingadurai
Special Government Pleader for R.1 to R.4

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the official respondents.

2. The prayer made in the writ petition may not be maintainable. It is well settled that the final order passed under Article 226 of Constitution of India cannot be in the nature of interim relief.

3. However, it is submitted by the learned counsel appearing for the petitioner that the revision petition is presently pending on the file of second respondent. The second respondent is directed to dispose of the revision petition dated 22.11.2022 on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The second respondent should hear all the interested persons before passing final order. I make it clear that I have not gone into the merits of the matter.



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4. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

23.12.2022

Index : Yes / No
Internet : Yes/ No
MGA

To

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G.R.SWAMINATHAN, J.

MGA

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