



W.P.No.31700 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.31700 of 2015

and

M.P.Nos.1 & 2 of 2015

Kulanthaivel

...Petitioner

Vs.

1.The Sub-Collector,
Sub-Collectorate Office,
Perambalur District.

2.Manivel

3.Periyasamy

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the 1st respondent in Na.Ka.No.A2/103/2015 dated 29.05.2015 and quash the same.

For Petitioners : Mr.R.Gokulakrishnan

For R1 : Mr.P.Sanjay Gandhi
Government Advocate

For R2 & R3 : Mr.R.Sethuvarayar



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ORDER

The enquiry call letter dated 29.05.2015 is under challenge in the present writ petition.

2. The petitioner states that he is the Family Manager for himself and on behalf of his brother one Sathapillai. In respect of the property dispute, the Sub-Collector, Perambalur issued an enquiry call letter to the petitioner, asking the petitioner to appear on 23.07.2015 at about 3.30 p.m.

3. Instead of participating in the enquiry, the petitioner has chosen to file the present writ petition. The petitioner has relied upon the order passed by the District Munsif Court, Perambalur in I.A.No.2400 of 2014 in O.S.No.638 of 2014.

4. If at all the Civil Suit is pending, the same may be intimated to the Sub-Collector, Perambalur for keeping the proceedings in abeyance. Contrarily, the writ petition cannot be entertained in respect of the enquiry call letter issued by the Sub-Collector in proceedings dated 29.05.2015.



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5. It is needless to state that the parties, if approached the competent

Civil Court for adjudication of issues and established their civil rights, then the Revenue authorities cannot adjudicate the issues for the purpose of crystallizing the civil rights. This aspect also to be taken note of by the competent authorities.

6. In view of the facts and circumstances, the petitioner is at liberty to approach the Sub-Collector, Perambalur and place all the records relating to the property dispute and the pendency or disposal of the civil case or otherwise.

7. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

10.04.2023

Index : Yes
Speaking order
Neutral Citation: Yes
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To
1. The Sub-Collector,
Sub-Collectorate Office,
Perambalur District.



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S.M.SUBRAMANIAM, J.

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