



WEB COPY

W.P.No.9941 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9941 of 2023

and

W.M.P.No.9996 of 2023

G.Thirumoorthi

... Petitioner

Vs.

- 1.The Revenue Divisional Officer,
Dharampuri Revenue Division,
Dharmapuri,
Dharmapuri District.
- 2.The Superintendent of Police,
Dharmapuri,
Dharmapuri District.
- 3.The Additional District Superintendent of Police,
Dharmapuri,
Dharmapuri District.
- 4.The Inspector of Police,
Adiyamankottai Police Station,
Adiyamankottai District.
- 5.The Tahsildhar,
Nallampalli Taluk,
Nallampalli,
Dharmapuri District.



6.M.Dheivi

7.Murugan

W.P.No.9941 of



... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, call for the records of the 5th respondent in the proceedings in Na.Ka.No.2542/2022/B3 dated 18.11.2022 and quash the same as erroneous, illegal, incompetent, unconstitutional and without jurisdiction.

For Petitioner : Mr.R.Rajeshkrishnan

For R1 to R5 : Mr.D.Ravichander
Special Government Pleader

For R6 & R7 : Mr.V.Sakkarapani

ORDER

The internal communication between the Tahsildar and the Revenue Divisional Officer, Dharmapuri, which was communicated to the Superintendent of Police is under challenge in the present writ petition.

2. Certain internal communications between the parties would not provide any cause for filing a writ petition. In the present case, a complaint has been submitted and in respect of the allegations in the complaint, the Tahsildar submitted a report to the Revenue Divisional Officer, who is yet to



consider the allegations and pass appropriate orders. When the file is pending for disposal before the Revenue Divisional Officer, Dharmapuri, the petitioner rushed and filed the present writ petition.

3. The petitioner is expected to wait for the final orders to be passed by the Revenue Divisional officer.

4. The learned Special Government Pleader appearing on behalf of the respondents 1 to 5 brought to the notice of this Court that the parties have already instituted a Civil Suit in O.S.No.149 of 2022 on the file of the Subordinate Court Dharmapuri.

5. Since the civil suit is pending, the parties bound to establish their case through documents and evidences. Only after the disposal of the civil dispute either of the parties is at liberty to approach the Revenue Authority for appropriate orders. During the pendency of the civil suit, the revenue authorities may not be in a position to adjudicate the disputed issues between the parties. Thus, the petitioner is at liberty to approach the competent Revenue Authority, only after the disposal of the civil dispute pending before the civil court of law.



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6. With these observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

17.07.2023
(2/2)

Jeni
Index : Yes
Neutral Citation : Yes
Speaking order

To

- 1.The Revenue Divisional Officer,
Dharampuri Revenue Division,
Dharmapuri,
Dharmapuri District.
- 2.The Superintendent of Police,
Dharmapuri,
Dharmapuri District.
- 3.The Additional District Superintendent of Police,
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Dharmapuri District.
- 4.The Inspector of Police,
Adiyamankottai Police Station,
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- 5.The Tahsildhar,
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S.M.SUBRAMANIAM, J.

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