



W.P.No.20080 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.20080 of 2023

Maruthamuthu

... Petitioner

Vs.

- 1.The District Collector,
Perambalur District,
Perambalur.
- 2.The Revenue Divisional Officer,
Revenue Divisional Officer,
Alathur Taluk,
Perambalur District.
- 3.The Tahsildar,
Alathur Taluk Office,
Alathur,
Perambalur District.
- 4.The Revenue Inspector,
Chettikulam Village,
Alathur Taluk,
Perambalur District.
- 5.Karnan
- 6.Dharmaraj



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7.Selvaraj

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to complete the enquiry in the Appeal proceedings in Oo.Mu.No.(A2)2179/2023 dated 05.04.2023 and pass final orders on merits, after hearing the respondents 5 to 7, within a time stipulated by this Court.

For Petitioner

: Mr.P.M.Vishnuvarthanan

For R1 to R4

: Mr.D.Ravichander

Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the 2nd respondent to complete the enquiry in the Appeal proceedings in Oo.Mu.No.(A2)2179/2023 dated 05.04.2023 and pass final orders on merits, after hearing the respondents 5 to 7, within a time stipulated by this Court.

2.It is not in dispute between the parties that a civil suit instituted in O.S.No.352 of 2008 on the file of the District Munsif Court, Perambalur, is pending. During the pendency of the suit, the Revenue authorities may not



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be in a position to issue patta, cancel the patta, or mutate the Revenue records. All such actions are to be initiated only after the crystallization of the civil rights between the parties. If any Revenue authority effects changes in the Revenue records during the pendency of the civil suit, then either of the parties will be prejudiced. Even under the Tamil Nadu Patta Passbook Act, 1983, pendency of the suit is a bar for conducting an enquiry for grant of patta or otherwise. Thus, the writ petitioner is at liberty to submit an application after disposal of the civil dispute between the parties.

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

10.07.2023

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Index : Yes
Neutral citation : Yes / No
Speaking order / Nonspeaking order



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S.M. SUBRAMANIAM, J.

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To

- 1.The District Collector,
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