



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.225 of 2022
and
W.M.P.(MD)Nos.162 and 166 of 2022

M.Abdul Malik

... Petitioner

vs.

1.The District Collector,
Ramanathapuram District.

2.The District Revenue Officer-cum-
District Additional Judicial Magistrate,
Ramanathapuram, Ramnad District.

3.The Revenue Divisional Officer,
Ramanathapuram, Ramnad District.

4.The Tahsildar,
Enmanankondan Village,
Ramanathapuram, Ramnad District.

5.Syed Ibrahim
6.Naina Mohamed

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to quash the impugned order passed by the third respondent in Na.Ka.A-6/1990/2010,

1/5



WEB COPY

dated 28.05.2010 and consequential impugned order passed by the second respondent in Na.Ka.B5/C.R./325/2010, dated 01.07.2011 and further to direct the fourth respondent not to mutate the revenue records based upon the above orders and further to direct the fifth and sixth respondents not to disturb the possession of the petitioner.

For Petitioner	:Ms.M.Rajeswari
For R1 to R4	:Mr.N.Muthu Vijayan Special Government Pleader
For R5 and R6	:Mr.J.M.Hassanul

ORDER

The Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking interference with an order of the third respondent, Revenue Divisional Officer, Ramanathapuram in Na.Ka.No.A-6/1990/2010, dated 28.05.2010 and the consequential impugned order of the second respondent/District Revenue Officer, Ramanathapuram in Na.Ka.No.B5/C.R./325/2010, dated 01.07.2011.

2.Heard Ms.M.Rajeswari, learned Counsel for the petitioner, Mr.N.Muthu Vijayan, learned Special Government Pleader for the respondents 1 to 4 and Mr.J.M.Hassanul, learned Counsel for the



respondents 5 and 6.

WEB COPY

3.The Writ Petition dated 03.01.2022 had been filed questioning an order, which had been passed nearly more than ten years back. Let me not go into a detailed examination because notice had been directed to the fifth and sixth respondents and the learned Counsel stated that the fifth and sixth respondents had filed a suit in O.S.No.34 of 2022, which is now pending before the Sub Court, Ramanathapuram and the petitioner is also a defendant, who had also entered appearance.

4.The fact of that particular suit had been totally suppressed in the affidavit filed in support of the Writ Petition. At any rate, it is the Sub Court, which will now have to examine all the issues between the petitioner on the one hand and the fourth and fifth respondents on the other hand, but since there is specific suppression of materials facts, no orders can be passed in this Writ Petition.

5.The Writ Petition stands dismissed. No costs. The order passed in this Writ Petition should not have any bearing on any decision taken



by the learned Sub Judge at Ramanathapuram. Consequently, connected
miscellaneous petitions are closed.

Index :Yes / No
Internet :Yes
NCC : Yes/No

11.04.2023

cmr

To

1.The District Collector,
Ramanathapuram District.

2.The District Revenue Officer-cum-
District Additional Judicial Magistrate,
Ramanathapuram, Ramnad District.

3.The Revenue Divisional Officer,
Ramanathapuram, Ramnad District.

4.The Tahsildar,
Enmanankondan Village,
Ramanathapuram, Ramnad District.



WEB COPY



C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.225 of 2022

11.04.2023