



WP(MD)No.1042 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **10.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.1042 of 2021

P.Subramaniam,
Represented by his power agent,
S.Mahalingam.

...Petitioner

/Vs./

1.The Tahsildar,
Ponnamaravathi Taluk,
Pudukottai District.

2.Raja

. ...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dt 03.12.2020 submitted to delete the name of the 2nd respondent and issue joint patta in favour of the petitioner's Principal Subramaniam, the Petitioner's sister, Sumithra and the petitioner's mother, Nachammai and make necessary modifications in Patta No.191, Mekkinipatti Village, Ponnamaravathi taluk, Pudukottai District.

For Petitioner : Mr.Shangar Murali

For Respondents : Mr.A.K.Manikkam (R1)

Special Government Pleader

Mr.D.Ramseh Kumar (R2)



WP(MD)No.1042 of 2021

ORDER

WEB COPY

This writ petition has been filed for issuance of writ of mandamus directing the first respondent to consider the representation made by the petitioner on 03.12.2020, wherein the petitioner has sought for deletion of the name of the second respondent and for issuance of joint patta with respect to subject property.

2. Heard Mr.Shangar Murali, learned counsel for the petitioner, Mr.A.K.Manikkam, learned Special Government Pleader for the first respondent and Mr.D.Ramseh Kumar, learned counsel for the second respondent.

3. At the time of hearing, it is brought to the notice of this Court that the petitioner represented by his power agent has already filed a suit in O.S.No.120 of 2020 before the Principal Sub Court, pudukkottai, and in the suit, the second respondent and two others have been added as defendants. The petitioner has sought for the relief of declaration and permanent injunction and also has sought for declaration to declare the document No.991 of 2009 as null and void and non est and also for the cancellation of patta granted in favour of the second respondent by the first respondent.



WP(MD)No.1042 of 2021

4. When such a suit is filed and pending before the competent civil Court, there is no scope for granting the relief sought for by the petitioner and the revenue authorities will have to lay off their hands in light of the suit filed before the competent civil Court. Unfortunately, the petitioner has not even stated about the suit in the affidavit filed in support of this writ petition.

5. This Court does not find merits for the relief sought for in this writ petition and this writ petition stands dismissed. No costs.

10.10.2023

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

TO:-

1.The Tahsildar,
Ponnamaravathi Taluk,
Pudukottai District.



WEB COPY



WP(MD)No.1042 of 2021

N.ANAND VENKATESH, J.

sm

Order made in
W.P.(MD)No.1042 of 2021

Dated:
10.10.2023