



W.P(MD)No.2206 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2206 of 2023

and

W.M.P.(MD)Nos.1989 & 1990 of 2023

R.Ramasubramanian

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Tirunelveli.

2.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

3.Raguramaiah

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the summons issued by the first respondent in his proceedings in Na.Ka.No.A3/2202/2022, dated 23.12.2022 and quash the same and consequently direction may be issued to the respondents 1 & 2 to keep the patta proceedings in abeyance pending suit in O.S.No.372/2020 on the file of the learned Ist Additional District Munsif, Tirunelveli and Writ Petition in W.P. (MD)No.4775 of 2021.



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For Petitioner : Mr.MM.Manivelpandian
For Respondent : Mrs.S.Jeyapriya
Government Advocate for R1 & R2

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for R1 & R2.

2. The petitioner challenges the notice dated 23.12.2022 issued by the first respondent. The first respondent has taken up the petition filed by the third respondent for enquiry. The petitioner's counsel points out that the petitioner has already filed W.P.(MD)No.4775 of 2021 questioning the legal heirship certificate issued by the Tahsildar, Palayamkottai. He also points out that the petitioner has filed O.S.No.372 of 2020 on the file of the District Munsif, Tirunelveli. I wanted to know if the petitioner has obtained any interim order in his favour either in the writ petition or in the civil suit. The answer is in the negative.

3. I therefore decline to interfere with the impugned proceedings. This is more so for the reason that the petitioner has come to this Court at the notice stage. It is obvious that the rights of the parties will abide by the outcome of the civil suit and W.P.(MD)No.4775 of 2021 now pending on the file of this Court.



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4. With this clarification and observation, the Writ Petition is disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

03.02.2023

Index : Yes / No
Internet : Yes/ No
rmi

To

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Tirunelveli.

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G.R.SWAMINATHAN, J.

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