



W.P.(MD).No.11445 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.07.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.11445 of 2020

and

W.M.P(MD)No.10008 of 2020

1. Mr.M.Sakthimurugan

2. M.Parasakthi

... Petitioners

Vs.

1.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Mudukulathur Taluk,
Ramanathapuram District.

3. The Revenue Inspector,
Mudukulathur Taluk,
Ramanathapuram District.

4. The Village Administrative Officer,
Enathi Village,
Mudukulathur Taluk,
Ramanathapuram District.

5. Kumaravel

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Mandamus***, to direct the 1st to 4th respondents not to mutate the revenue records in the name of the 5th respondent



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in pursuance to the order passed by the 1st respondent/the Revenue Divisional Officer, Paramakudi in PA.Mu.P3(2)/9946/2018, dated 10.03.2020 till the appeal petition filed before the Divisional Revenue Officer, Ramanathapuram District is finally adjudicated.

For Petitioner : Mr.P.Prakash Paul
For R-1 to 4 : Mr.TA.Ramesh
Government Advocate
For R-5 : Mr.Arun Swaminathan

ORDER

This writ petition is filed for *Writ of Mandamus* not to mutate the revenue records, based on the order passed by the 1st respondent.

2. The contention of the petitioner is that he has preferred an appeal before the District Revenue Officer, Ramanathapuram District on 26.08.2020 and the said District Revenue Officer has not passed any order as on date. The petitioner has also filed a stay petition before the District Revenue Officer. However, he has filed this writ petition under the guise of stay. Since the District Revenue Officer is keeping the appeal without passing any order from the year 2020, the petitioner is seeking relief not to mutate the revenue records.



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3. The learned Government Advocate appearing for the respondents 1 to 4 submitted that till now the mutation has not taken place.

4. Therefore, this Court issues direction to the District Revenue Officer, Ramanathapuram District to consider the appeal, within a period of 3 months from the date of receipt of a copy of the order, after issuing notice to the petitioner as well as the 5th respondent and also to other rival claimants, if any until the appeal is considered by District Revenue Officer, the Revenue Divisional Officer and other authorities shall not mutate the revenue records.

5. With these observations and directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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

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