



W.P.(MD)No.11922 of 2020

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED :11.10.2023

CORAM

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

W.P.(MD)No.11922 of 2020  
and WMP(MD) Nos.11749 and 10300 of 2020

S.Jegatheesan,

... Petitioner

Vs

1. The District Collector,  
Tirunelveli District, Tirunelveli.

2. The District Collecotr,  
Thoothukudi District Thoothukudi.

3. The District Collector,  
Kanyakumari District Nagerkovil.

4. The Sub-Collector,  
Cheranmahadevi, Tirunelveli District.

5. The Sub Collector,,  
Thoothukudi District.

6. The District Revenue Officer,  
Tirunelveli.

7. The District Revenue Officer,  
Thoothukudi.



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8. The District Revenue Officer,  
Nagercoil, Kanyakumari District.

9. The Revenue Divisional Office,  
Er, Tiruchendur, Thoothukudi District.

10. The Revenue Divisional Office,  
Er, Srivaikuntam, Thoothukudi District.

11. The Revenue Divisional Office,  
Er, Kovilpatti, Thoothukudi District.

12. The Revenue Divisional Office,  
Er, Nagarkoilkanyakumari District.

13. The Tahsildar,  
Office of Tahsildar, Thisayanvilai,  
Tirunelveli District.

14. The Tahsildar,  
Officethisayanvilai Tirunelveli District.

15. The Tahsildar,,  
Office of Tahsildar, Eral, Thoothukudi  
District.

16. The Tahsildar,,  
Office of Tahsildar, Ettayapuram,  
Thoothukudi District.

17. The Tahsildar,  
Office of Tahsildar Ettayapuram  
Thoothukudi District.



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18. The Tahsildar,,  
Office of Tahsildar, Ottapidaram,  
Thoothukudi District.

19. The Tahsildar,,  
Office of Tahsildar, Srivaikuntam,  
Thoothukudi District.

20. The Tahsildar,,  
Office of Tahsildar, Tirchendur,  
Thoothukudi District.

21. The Tahsildar,  
Office of Tahsildar, Thoothukudi,  
Thoothukudi District.

22. The Tahsildar,  
Office of Tahsildar Vilathikulam  
Thoothukudi District.

23. The Tahsildar,  
Office of Tahsildar, Kalkulam  
Kanyakumari District.

24. The Tahsildar,  
Office of Tahsildar, Kalkulam  
Kanyakumari District.

25. The Tahsildar,  
Office of Tahsildar, Killiyur  
Kanyakumari District.

26. S.Vaikuntharajan,  
S/o.Late.A.S.V.Subbiah Nadar, M.L Their  
Road, Keeraikaranthattu, Tisaiyanvilai  
Tirunelveli District.

... Respondents



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**PRAYER :** Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 25 herein not to act or entertain application for Patta Transfer or any other application for mutation of revenue records submitted or to be submitted by the 26th respondent herein his family members or anyone claiming under him with respect to the immovable properties being lands and buildings described in Schedule C of alleged Kaithadi Partition Deed dt.31.12.2018 and Conciliation Report dt.02.01.2019 either belonged to the Partnership Firms in which both the Petitioner 26th respondent and their family members are Partners or in the joint names of the Petitioner herein the 26th respondent and their family members and not to pass any orders/proceedings thereon, pending final adjudication of the question of law and various legal issues involved in CRP (MD) No.1797 to 1799 / 2019 on the file of this Court.

|                 |                                                                                                                          |
|-----------------|--------------------------------------------------------------------------------------------------------------------------|
| For Petitioner  | :Mr.R.Thiyagarajan<br>Senior counsel for<br>M/s.V.P.Sengottuvel,                                                         |
| For Respondents | :Mr.R.Ragavendran for R1 to R25<br>Additional Government Pleader<br>Mr.V.Ragavachari for<br>Mr.J.kingsly Solomon for R26 |



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## **ORDER**

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This writ petition has been filed for the issue of a writ of mandamus directing the respondents 1 to 25 not to entertain any application for patta transfer or for mutation of revenue records submitted by the 26<sup>th</sup> respondent or his family members or anyone claiming under him with respect to the subject properties pending final adjudication of the questions of law and also various legal issues involved in CRP (MD) Nos.1797 to 1799 / 2019.

2. Heard the learned senior counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 to 25 and the learned senior counsel for the 26<sup>th</sup> respondent.

3. It is not necessary for this Court to go into various issues that have been raised in this writ petition in view of the fact that CRP (MD) Nos.1797 to 1799 / 2019 have been disposed of by an order dated 08.04.2021 and the order passed by this Court has also been further confirmed by the Apex Court while dismissing the SLP filed in SLP Nos.



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6985 to 6987 of 2021 dated 02.07.2021.

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4. In view of this development, the prayer sought for in the present writ petition has become infructuous. It is also brought to the notice of this Court that this Court had passed an order in Tr. CRP Nos.301 to 303 /2023 and had directed the Principal District Judge, Tirunelveli to dispose of all the proceedings preferably within a period of 12 months. Hence, substantial issue/dispute between the parties is now pending before the Principal District Judge, Tirunelveli. In any case, it is now too well settled that the writ Court can never be used for the sake of getting an interim order/interim relief when a substantial relief is pending before the competent forum. Therefore, if at all the petitioner wants any interim relief, the petitioner can only approach the competent Court, where the proceedings are pending. Except giving this clarity, no further orders can be passed in this writ petition. Accordingly, this writ petition is disposed of. No costs. Consequently connected Miscellaneous Petitions are closed.

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NCC :Yes/No

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Index : Yes/No

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**N.ANAND VENKATESH, J.**

*RR*

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