



W.A(MD)No.702 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.702 of 2023
and
C.M.P(MD)No.6112 of 2023**

1. The District Revenue Officer,
Sivagangai,
Sivagangai District.

2. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3. The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

... Appellants

vs.

L.Rajadurai

... Respondent

PRAYER : Appeal filed under Clause 15 of Letters Patent,
against the order passed in W.P(MD)No.1418 of 2023 dated
14.02.2023.

For Appellants : Mr.Veera Kathiravan
Additional Advocate General assisted by
Mr.S.P.Mahadevan
Special Government Pleader
For Respondent : Mr.Karthick



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JUDGMENT

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

Admittedly, the assignment in favour of the predecessor of the respondent/petitioner in the writ petition which was cancelled, was restored by this Court by order in W.P(MD)No.7680 of 2009 dated 24.01.2014. An attempted appeal against the said order also came to be dismissed at the stage of condonation of delay. The review application filed against the said order was also dismissed. Hence, the original assignment stands good. If the original assignment holds good, it is incumbent on the authorities to effect mutation of the revenue records.

2. The learned Additional Advocate General appearing for the appellants would invite our attention to the order dated 13.11.2014 passed by the District Revenue Officer, Sivagangai, rejecting the claim of the writ petitioner for mutation on the ground that the original assignment was without jurisdiction.

3. This rejection is beyond the brief of the District Revenue Officer. As already adverted to, cancellation of the original



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assignment was set aside by this Court in W.P(MD)No.7680 of 2009 dated 24.01.2014 and an attempted appeal against the said order was also dismissed at the stage of condonation of delay. The review application filed to review the order dismissing the condone delay application, was also dismissed. The order of rejection made by the District Revenue Officer on 13.11.2014 cannot override specific orders of this Court. Hence, we are unable to fault the Writ Court for having allowed the writ petition.

4. The Writ Appeal fails and it is accordingly dismissed. No costs. Connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)
05.06.2023

Index : Yes / No
Internet : Yes
Neutral Citation : Yes / No
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To

1. The District Revenue Officer,
Sivagangai,
Sivagangai District.



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and
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2. The Revenue Divisional Officer,
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3. The Tahsildar,
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JUDGMENT MADE IN
W.A(MD)No.702 of 2023
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