



W.P(MD)No.11433 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11433 of 2023

and

W.M.P.(MD)Nos. 9902 & 9903 of 2023

1.Murugan

2.Ayyanar

3.Rakkammal

... Petitioners

Vs.

1.The District Revenue Officer,
Virudhunagar.

2.The Revenue Divisional Officer,
Sathur.

3.The Tahsildar,
Rajapalayam.

4.Rengarajan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned proceedings dated 30.12.2022 passed by the second respondent herein Mu.Mu.No.A3/0407/2021 and quash the same.



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For Petitioner : Mr.VR.Shanmuganathan

For Respondents : Mr.M.Senthil Ayyanar
Government Advocate for R1 to R3

ORDER

Heard the learned counsel appearing for the petitioners and the learned Government Advocate appearing for R1 to R3. Issuance of notice to R4 is dispensed with.

2. By the impugned order, assignment made in favour of the petitioner has been cancelled.

3. The learned Government Advocate points out that questioning the impugned order, the petitioners have already preferred an appeal before the District Revenue Officer / R1 herein.

4. When I queried the petitioner's counsel as to why this writ petition has been parallely moved, it is submitted that since the authorities ignoring pendency of the appeal are attempting to dispossess the petitioners, that necessitated filing of the writ petition.

5. Though in normal circumstances, I would have non-suited the petitioners on the ground of maintainability, considering the facts and circumstances, the official respondents are restrained from giving effect to the impugned order till the disposal of the appeal. The first respondent / appellate



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authority shall dispose of the petitioner's appeal on merits and in accordance with law and after hearing the fourth respondent within a period of three months from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. The contentions of both the parties are left open.

6. With this direction to the authorities to put the impugned proceedings on hold till the disposal of the appeal before the first respondent, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

10.05.2023

Index : Yes / No
Internet : Yes/ No
rmi

To

- 1.The District Revenue Officer,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Sathur.
- 3.The Tahsildar,
Rajapalayam.



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G.R.SWAMINATHAN, J.

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