



W.P.(MD) No.15058 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.10.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.15058 of 2020
and WMP(MD) No.12704 of 2020

S.Gunavathi

... Petitioner

Vs

1. The Tahsildar,
Ilayangudi Tk, Sivagangai District.
2. The District Collector,
Sivagangai District , Sivagangai.
3. The Sub Registrar,
Ilayangudi, Sivagangai District.
4. Hameeta Bevi
5. Mohamed Ali
6. Usman Ali
7. Asaf Ali
8. S.Fathima
9. Mumtaj Begum
10. Noorjahan



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11. Ayeezha Beevi

12. Alima Beevi

13. Madula Beevi

14. Hameeta Beevi

15. Rose

16. Amthajkhan

17. Murby

18. Bishmi

19. Nisha

20. N.Ayesha

21. S.Senthil

22. A.Chidambaram

23. R.Veeman

24. V.Thangamani

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 herein not to transfer or mutuate patta and revenue records through online or in any manner in respect of the lands (covered in patta no.648, 392, 677 and 536) comprised in survey no.108/6 (Acres 2.57 cents), 107 (Acre 1.65.6 Cents), 107 (Acres 9.46 Cents), 106/5 (Acres 1.74 cents),

2/5



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120/3 (Acres 2.58 Cents), 119/1C1 (Acres 2.20 cents) of Thiruvallur Village, Ilayangudi Taluk, Sivagangai District until the disposal of the suit in O.S.No.92 of 2010 on the file of Sub Court, Sivagangai.

For Petitioner : Mr. K.Safar Badhusha
For Respondents : Ms.D.Farzana Goushia
Special Government Pleader

ORDER

This writ petition was filed for the issue of writ of mandamus directing the first and 2nd respondents not to transfer or mutate the revenue records pertaining to the subject property pending disposal of the suit in O.S.No.92 of 2010 on the file of the Sub Court, Sivagangai.

2.Heard the learned counsel for the petitioner, the learned Special Government Pleader for the respondents 1 to 3 and the learned counsel for the private respondents.

3.In the considered view of this Court, the main relief in this case is pending before the competent civil Court in O.S.No.92/2010 and this writ petition has been filed only seeking for interim relief to direct the first and second respondents not to mutate the revenue records. If the



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petitioner has any apprehension that the private respondents will mutate the revenue records pending the suit, the petitioner has to file an appropriate application in the pending suit and seek for the relief and a writ petition cannot be maintained in this regard. The law on this issue is now too well settled. In view of the above, the writ petition stands disposed of. No costs. consequently connected Miscellaneous Petition is closed.

05.10.2023

Internet : Yes

RR

To

1. The Tahsildar,
Ilayangudi Tk, Sivagangai District.
2. The District Collector,
Sivagangai District , Sivagangai.
3. The Sub Registrar,
Ilayangudi, Sivagangai District.



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N.ANAND VENKATESH, J.

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