



WP(MD)No.14722 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.14722 of 2023
and
WMP(MD)Nos.12421, 12423 of 2023

Pethanan

... Petitioner

v.

1.The District Collector,
Madurai District,
Madurai.

2.The Zonal Deputy Tahsildar,
Madurai West,
Madurai District.

3.The Village Administrative Officer,
Vadapazhanchi,
Madurai West Taluk,
Madurai District.

4.P.Machakalai

5.S.Veeranan

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned proceedings of the second respondent in No.T.R. 2019/0103/24/090935/TR dated 28.06.2019 and quash the same and directing to restore the patta to its original position, as it was before the passing of transfer of patta and directing to conduct fresh enquiry after giving notice to the petitioner.

For Petitioner : Mr.K.Muraleedharan

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R.1 to R.3

Mr.Prem Kumar for R.4

Mr.G.Sakthi Rao for R.5

ORDER

The petitioner has challenged the orders passed by the revenue officials under the Pass Passbook Act that the patta stood in the name of the petitioner's father was cancelled and the fifth respondent's name was included.



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WEB COP 2. Learned Counsel for the petitioner submitted that the impugned order has been passed without providing any opportunity to the petitioner.

3. Learned Counsel for the fifth respondent submitted that the fifth respondent has already filed a suit for declaration before the District Munsif Court, Thirumangalam, in OS.No.293 of 2014 and the same was decreed in his favour. Based on the decree, the revenue officials have passed the order impugned. A copy of the decree is also produced before the Court.

4. Since a decision has been taken by the revenue officials based on the decree passed by the competent civil Court in OS.No.293 of 2014, this writ petition stands dismissed with liberty to the petitioner to work out his remedy before the competent civil Court. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
NCC : Yes / No
gk

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B.PUGALENDHI, J.

gk

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