

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2023

CORAM

THE HONOURABLE MR.JUSTICE **R.VIJAYAKUMAR**

C.R.P.(MD)No.1847 of 2014

and

M.P.(MD)No.1 of 2014

Dr.K.R.Geetha

....Petitioner

Vs

1.K.Panchavarnam

2.K.R.Usha Rani

3.K.R.Venkateswaran

through his Power Agent, K.S.Dinakaran

4.K.R.Lakshmirani

5.K.R.Durga Rani

...Respondents

(Respondents 2 to 5 were impleaded vide order of this Court dated 21.12.2021 in C.M.P.(MD)No.11009 of 2021)

PRAYER: The Civil Revision Petition has been filed under Section 115 of Code of Civil Procedure, to set aside the order made in T.C.T.P.No.25 of 2011 dated 30.06.2014 on the file of the Special Deputy Collector, Revenue Court, Madurai and to allow this Civil Revision Petition.

For Petitioner

:Mr.T.R.Subramanian

For R1

:Mr.S.Muniyandi

For R2 to R5

:Mr.J.Gunaseelan Muthiah

ORDER

The present Civil Revision Petition has been filed by the landlord challenging an order passed by the Special Deputy Collector, Revenue Court, Madurai, wherein, an order has been passed directing the cultivating tenant to deposit the rental arrears before the Treasury on the ground that the landlord had refused to receive the rental arrears.

2.The Revision Petition mainly proceeds on the basis that the said Panchavarnam should not have been recorded as a cultivating tenant at all by an order 22.03.2002. Since the said Panchavarnam is not a cultivating tenant, the landlord had refused to receive the rent from her.

3.In W.P(MD)No.18213 of 2014, this Court has held that as far as recording of Panchavarnam, as cultivating tenant, is concerned, the order has worked itself out after the death of said Panchavarnam. Therefore, nothing survives to be adjudicated in this Revision Petition. As on today, the legal heirs of Panchavarnam have to approach the authorities to record themselves as cultivating tenant. However, liberty is granted to

the landlord to collect rent from the Treasury by obtaining orders from the revenue officials, if they are so advised. The Civil Revision Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

14.09.2023

Index : Yes/No
Internet : Yes/No

(2/2)

cmr

To

The Special Deputy Collector, Revenue Court, Madurai.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

R.VIJAYAKUMAR, J.

cmr

C.R.P.(MD).No.1847 of 2014

14.09.2023
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