



W.P.(MD)No.12239 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.12239 of 2014

and

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

M.Thangapandiyan

... Petitioner

versus

1. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

3. The Tahsildar,
O/o. Tahsildhar,
Thiruchuli,
Virudhunagar District.

4. S.Kalyani

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Certiorari, to call for records



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pertaining to impugned order of the respondent No.1 in Ni.Mu/B2/362672013 dated 25.06.2014 on the file of the respondent No.1 and quash the same as illegal.

For Petitioner : Mr.S.Rajasekar
For R1 to R3 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
For R4 : Mr.V.Panneerselvam

ORDER

This writ petition is filed as against the order of the first respondent/the District Revenue Officer, Virudhunagar, dated 25.06.2014 passed under the Patta Pass Book Act.

2. The learned counsel appearing for the petitioner submits that the fourth respondent has already filed a Civil Suit before the District Munsif Court, Aruppukottai in O.S.No.278 of 2013 and later, it has been transferred to the District Munsif cum Judicial Magistrate, Tiruchuli and re-numbered as O.S.No.240 of 2021. He further submits that in the said suit, trial has been completed and when the case has been listed for argument, at that time, the fourth respondent/plaintiff



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has filed interlocutory applications for amendment, which were dismissed by the trial Court by order dated 04.07.2022. As against the same, she has also filed CRP(MD)Nos.1524 and 1525 of 2022 and this Court has also granted an order of interim stay. In view of the stay granted by this Court, the said suit could not be proceeded further.

3. The learned counsel appearing for the fourth respondent has also confirmed the same and submits that the fourth respondent is ready to co-operate for early disposal of the suit as well as the Civil Revision Petitions pending before this Court.

4. It is submitted that both the parties have also given an undertaking that they will not alienate the property and they will not make any encumbrance pending the suit.

5. Considering the rival submissions made and considering that both the parties are ready to co-operate for early disposal of the Civil



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Revision Petitions as well as the Suit, this writ petition is disposed of by giving liberty to the parties to work out their remedy on the outcome of the Civil Suit. Till then, the order passed by the District Revenue Officer, Virudhunagar, in Ni.Mu/B2/362672013 dated 25.06.2014 shall be kept under abeyance.

6. The trial Court is directed to dispose of the suit in O.S.No.240 of 2021 as expeditiously as possible, depending upon the outcome of the Civil Revision Petitions. Both the parties shall co-operate for early disposal of the Civil Revision Petitions as well as the Suit and shall not alienate the property as per the undertaking given by them. No costs. Consequently, connected miscellaneous petition is closed.

09.06.2023

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NCC : Yes / No.
Index : Yes / No.
Internet: Yes / No.



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To
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1. The District Munsif cum Judicial Magistrate,
Tiruchuli.
2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
3. The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.
4. The Tahsildar,
O/o. Tahsildhar,
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B.PUGALENDHI, J.

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