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W.P.Nos.16231 and 16815 of 2014

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 23.08.2023**

**CORAM :**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**Writ Petition (MD) Nos.16231 and 16815 of 2014**  
**and M.P.(MD) Nos.1 and 2 of 2014**

N.Thaha Khan

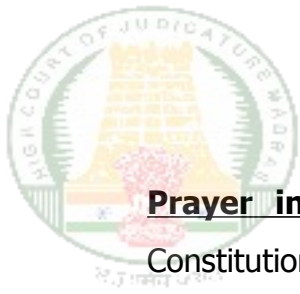
.... Petitioner in both W.Ps.

-Vs-

- 1.The District Collector  
Ramanathapuram District  
Ramanathapuram.
- 2.The District Revenue Officer  
Ramanathapuram  
Ramanathanpuram District.
- 3.The Revenue Divisional Officer  
Hospital Road, Ramanathapuram  
Ramanathapuram District.
- 4.The Tahsildar  
Ramanathapuram  
Ramanathapuram District.
- 5.Sheikh Jalaludeen

.... Respondents  
in both W.Ps.

**Prayer in W.P.No.16231 of 2014 :** Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records relating to the impugned order passed by the 2nd respondent dated 08.08.2014 in his order No.Pa.Mu.41750/2012/(B6) and quash the same and to direct the 2nd respondent to pass orders after affording opportunity to the petitioner.



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**Prayer in W.P.No.16815 of 2014 :** Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records relating to the impugned order passed by the 4th respondent dated 27.09.2014 and quash the same.

**In Both W.Ps.**

For Petitioner : Mr.J.Barathan  
For Respondents : Mr.N.Satheesh Kumar  
Additional Government Pleader - for R1 to R4  
Mr.M.S.Jeya Karthik - for R5

**COMMON ORDER**

Heard the learned counsel appearing for both sides.

2. Sheikh Jalaludeen / 5th respondent filed a revision before the District Revenue Officer, Ramanathapuram seeking mutation of patta in his favour. The revision was allowed by the District Revenue Officer, Ramanathapuram by order dated 08.08.2014. Challenging the same, W.P.(MD) No.16231 of 2014 came to be filed. During the pendency of the writ proceedings, the order dated 08.08.2014 passed by the DRO Ramanathapuram was implemented by the jurisdictional Tahsildar. Challenging the same, W.P.(MD) No.16815 of 2014 came to be filed.

3. When the matters were taken up for final disposal, it was submitted that in the year 2012 itself the said Sheikh Jalaludeen had instituted a suit in O.S.No.121 of 2012 on the file of the District Munsif, Ramanathapuram seeking for the relief of



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declaration and permanent injunction. The writ petitioner is figuring as first defendant in the said suit. Since the jurisdictional Civil Court is seized of the issue, it is not necessary for this Court to go into the correctness of the impugned orders. The parties can very well work out their rights and remedies in the pending suit. Leaving open the contentions of both the parties, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

**23.08.2023**

Index : Yes/No  
Internet : Yes/No  
KST

To

- 1.The District Collector  
Ramanathapuram District  
Ramanathapuram.
- 2.The District Revenue Officer  
Ramanathapuram  
Ramanathanpuram District.
- 3.The Revenue Divisional Officer  
Hospital Road, Ramanathapuram  
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- 4.The Tahsildar  
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**G.R.SWAMINATHAN, J.**

kst

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**& 16815 of 2014**

**23.08.2023**