



WP(MD)No.18972 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.18972 of 2014
and
MP(MD)No.1 of 2014

B.Vijaya

... Petitioner

v.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Trichy.

2.D.Dhas

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records relating to the proceedings passed by the first respondent in Na.Ka.No.A7-1647-2014, dated 23.09.2014 and quash the same.



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For Petitioner : Mr.S.P.Sesubalan Raja

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R.1
Mr.B.Jameel Arasu
for R.2

ORDER

This writ petition is filed by the petitioner as against the notice issued by the Revenue Divisional Officer, Trichy, for conducting an enquiry on the appeal preferred by the second respondent.

2.Learned Counsel for the petitioner submitted that the second respondent, on the very same issue, has already filed an appeal before the Revenue Divisional Officer, in the month of June, 2014. The then Revenue Divisional Officer, Trichy, conducted an enquiry and closed the petition. Thereafter, the second respondent has filed a civil suit on 14.07.2014 before the I Additional District Munsif Court, Trichy, in OS.No.842 of 2014 and the same is pending. While so, the second respondent, once again filed a petition before the present second respondent, after the transfer of the then Revenue



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Divisional Officer and the present second respondent has also, in a mechanical manner, issued notice to the petitioner, which has already been culminated in the month of June, 2014, itself.

3.Learned Counsel for the second respondent submitted that the second respondent has filed a suit before the District Munsif Court, Trichy and the same is pending in OS.No.842 of 2014.

4.Heard the learned Counsel appearing on either side and perused the available materials.

5.Admittedly, there is some dispute between the petitioner and the second respondent with regard to the extent of the land. The second respondent has already filed a suit before the District Munsif Court, Trichy, in OS.No.842 of 2014 and the suit is ripe for trial.

6.Since the parties have now approached the competent civil Court, this writ petition stands disposed of, with liberty to the parties to work out their



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remedy before the civil Court. Considering the age of the proceedings and

that the suit is ripe for trial, the learned I Additional District Munsif, Trichy,

is directed to dispose of the suit, on merits and in accordance with law, within

a period of six months from the date of receipt of a copy of this order. No

costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

08.03.2023

NCC : Yes / No

gk

Note:

Mark a copy of this order to
The I Additional District Munsif,
Trichy.

To

The Revenue Divisional Officer,
Revenue Divisional Office,
Trichy.



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B.PUGALENDHI, J.

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