



WP(MD)No.7535/2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.7535/2014 &
MP(MD)Nos.1 & 2/2014

Anthonymuthu Nadar

...Petitioner

Vs

- 1.The Sub Collector,
Officer of the Sub Collector,
Kovilpatti, Thoothukudi District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.
- 3.The Thasildhar,
Office of the Thasildhar,
Villathikulam Taluk,
Thoothukudi District.
- 4.The Head Surveyor,
Villathikulam Taluk,
Thoothukudi District.
- 5.The Village Administrative Officer,
Melmanthai Village,
Villathikulam Taluk,
Thoothukudi District.



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6.The President,
Melmanthai Village Panchayat,
Villathikulam Taluk,
Thoothukudi District.

7.Thirumal Reddiyar

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the first respondent in PA.MU.A6/2869/09 dated 26.03.2014 and quash the same and consequently issue a direction to the parties to proceed with OS.No. 39/2012 on the file of the District Munsif Court at Villathikulam, Thoothukudi District without any reference to the said order and decide the issues on merits.

For Petitioner : Mr.R.Udhayakumar

For Respondents : Mr.S.Shaji Bino,
Special Government Pleader
for R1 to R6

Mr.R.Murugan for R7



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ORDER

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The grievance of the petitioner is that the first respondent, the Sub Collector, Kovilpatti, Thoothukudi District changed the patta for S.No. 412/B, Melamanthai Village, Vilathikulam Taluk, Thoothukudi District standing in the petitioner's name in favour of the seventh respondent without issuing any notice to him.

2. The learned counsel appearing for the petitioner submits that the petitioner has filed this writ petition on the ground of violation of principles of natural justice. He also submits that the petitioner has already filed a suit before the District Munsif Court, Vilathikulam Thoothukudi in OS.No.39/2012 for the relief of injunction and for restraining the revenue officials from changing the patta standing in the petitioner's name.

3. Since the petitioner has already approached the competent Civil Court, this writ petition is disposed of with a liberty to the petitioner to workout his remedy in the suit in OS.No.39/2012 on the file of the District Munsif Court, Vilathikulam, Thoothukudi. The order impugned



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in this writ petition shall be kept in abeyance till the disposal of the suit.

The learned District Munsif, Vilathikulam, Thoothukudi is directed to conclude the trial in OS.No.39/2012 within a period of five months from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petitions are closed.

20.03.2023

NCC: Yes / No

Index :Yes / No

Speaking Order : Yes / No

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To

- 1.The Sub Collector,
Officer of the Sub Collector,
Kovilpatti, Thoothukudi District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.
- 3.The Thasildhar,
Office of the Thasildhar,
Vilathikulam Taluk,
Thoothukudi District.



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4.The Head Surveyor,
Villathikulam Taluk,
Thoothukudi District.

5.The Village Administrative Officer,
Melmanthai Village,
Villathikulam Taluk,
Thoothukudi District.

6.The President,
Melmanthai Village Panchayat,
Villathikulam Taluk,
Thoothukudi District.

7.The District Munsif Court,
Vilathikulam,
Thoothukudi District.



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B.PUGALENDHI, J.

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