



W.P(MD)No.19723 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**W.P(MD)No.19723 of 2015
and
W.M.P.(MD)Nos. 1 & 2 of 2015**

M.Ettama Naicker

... Petitioner

Vs.

**1.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Palani,
Dindigul District.**

**2.The Tahsildar,
Office of the Taluk Office,
Vedasandoor,
Dindigul District.**

3.Bommakkal

4.Bommi Naicker

5.Chakkammal

6.Andichamy

7.Kannammal

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the proceedings relating to Patta No.661 in so far as survey No.1245/2 of an extent of 1 acres 25 cents situated at Ayyalur Village, Veda sandoor Taluk, issued by the 2nd respondent and quash the same.

For Petitioners : Mr.R.Suresh Kumar

For Respondents : Mr.S.RA.Ramachandran

Additional Government Pleader for R1 & R2

: Mr.P.Arun Jeyatram for R3 to R7

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges mutation of patta in favour of the private respondents. The private respondents are the legal heirs of one Tambula Naicker. In the affidavit filed in support of the writ petition, it is stated by the petitioner himself that he had sold the property in favour of Tambula Naicker. In the same breadth, a further claim is made that he repurchased the property. In the typed set of papers, no document of reconveyance has been enclosed. In the counter affidavit filed by the Tahsildar Vedachandur, it is stated that



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the petitioner had already filed O.S.No.215 of 2014 on the file of the Sub Court, Vedachandur against the private respondents herein. The petitioner can very well pursue his remedy in the pending civil suit. The rights of the parties will abide by the outcome of the civil proceedings.

3. With this observation and clarification, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

26.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Palani,
Dindigul District.

2.The Tahsildar,
Office of the Taluk Office,
Vedasandoor,
Dindigul District.

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G.R.SWAMINATHAN, J.

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