



W.P(MD)No.21736 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21736 of 2015

and

M.P.(MD)No.2 of 2015

Sankaranarayanan

... Petitioner

Vs.

1.The District Revenue Officer,
Madurai District,
Madurai.

2.Manickam

3.Nagaraj

4.Meenambal

5.Chockalingam

6.Thamotharan

7.Sundaravadivel

... Respondents

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 relating to the proceedings of the 1st respondent in Na.Ka.no.G2/93752/10 dated 12.11.2015 and quash the same.



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For Petitioner : Mr.T.Vadivelan

For Respondents : Mr.D.Gandhiraj
Special Government Pleader for R1

: Mr.S.Rajasekar for R2

: no appearance for R3 to R7

ORDER

Heard the learned counsel on either side.

2. The petitioner, R2 & R5 are brothers. The other private respondents are also his co-sharers. The petitioner's case rests on oral relinquishment made in his favour by siblings. Obviously, the revenue authority cannot adjudicate such claims. It is only the jurisdictional Civil Court that can go into such claims. It appears that even before filing the present writ petition, the petitioner had settled the properties in favour of his wife Mrs.Palankani and that suit filed by her ended against her (O.S.No.763 of 2017 on the file of the Sub Court, Thirumangalam). It is stated that the said Palankani has since filed first appeal. The right of the parties will abide by the eventual outcome of the civil proceedings. Based on the same, the revenue authorities will make appropriate changes in the revenue record. In other words, the impugned order will abide by the outcome of the appeal filed by the wife of the petitioner.



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3. The Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

24.08.2023

Index : Yes / No

Internet : Yes/ No

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To

The District Revenue Officer,
Madurai District,
Madurai.



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G.R.SWAMINATHAN, J.

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