



WP (MD) No.16115 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) No.16115 of 2016

and

WMP (MD) No.11785 of 2016

S.T.N.R Habeeb Nizar

... Petitioner

Vs

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

3.A.Rafi Ahamad

4.R.Nadira Rafi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, forbearing the respondent No.2 herein from conducting any enquiry and passing orders on the application made by the respondent Nos.3 and 4 herein in E.Mu.No.B6/52684/2014 without giving due opportunities to the petitioner since there is pending civil litigation over the title of the properties in OS.No.28/2016 on the file of the District Court Ramanathapuram.



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For petitioner : Mr.S.Rajasekar
For Respondent : Mr.PT.Thiraviam,
Nos.1 and 2 Government Advocate
For Respondent : No representation
No.3 and 4

ORDER

This writ petition has been filed for a writ of mandamus, forbearing the respondent No.2 from conducting enquiry and passing orders on the application made by the respondent Nos.3 and 4, by referring civil suit filed by the petitioner.

2.The learned Counsel for the petitioner on verification submits that the suit filed by the petitioner in OS.No.28 of 2016 on the file of the District Court, Ramanathapuram was dismissed for default on 12.11.2021.

3.Though the suit is said to be dismissed for default, it is not known whether the suit is restored or not. This type of relief cannot be granted on the grounds raised by the petitioner and if the petitioner is having any title



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over the property, he can work out his remedy in the manner known to law. No costs. Consequently connected miscellaneous petition is also dismissed.

22.06.2023

dsk

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.



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B.PUGALENDHI, J.

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