



W.P(MD)No.1722 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2023

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.1722 of 2016

and

WMP(MD) No.1493 of 2016

- 1.Balasubramani
- 2.Mariammal
- 3.Panchavarnam
- 4.Amaravathi
- 5.Gurusamy
- 6.Ponnuthai
- 7.Arumugam
- 8.Nagaraj
- 9.Balamurugan

Petitioners

Vs.

- 1.The District Revenue Officer / Revisional Authority,
Madurai.
- 2.The Revenue Divisional Officer/Appellate Authority,
Usilampatti.
- 3.The Tahsildar / Original Authority,
Tirumangalam.
- 4.Arulmani
- 5.Nallammal

Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the first respondent herein in his proceedings in Na.Ka.No.G2/71925/13, dated 23.10.2015 and quash the same as illegal and further direct the respondents 1 to 3 herein to restore the patta in respect of Survey No.16/4A, Karisalpatti Village, Tirumangalam Taluk, Madurai District, as it stood before 2012 within a time stipulated by this Court.

For Petitioner	:Mr.D.Nallathambi
For R1 to R3	:Mr.J.K.Jeyaselvam Government Advovate
For R4	:Mr.Sarangan
For R5	:No appearance

ORDER

This writ petition is filed as against the order of the first respondent in Na.Ka.No.G2/71925/13, dated 23.10.2015, granting patta in favour of the fourth respondent.

2.The learned counsel appearing for the petitioner fairly submits that the petitioner has filed a suit in O.S.No.308 of 2013 before the competent Civil Court and the same was dismissed, as



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against which, he preferred appeal in A.S.No.7 of 2019 before the Sub Court, Tirumangalam and the same was also dismissed. As against the concurrent findings, he preferred second appeal in SA(MD) No.181 of 2021 before this Court and this Court has admitted the Second Appeal on 18.03.2021.

3. Since the petitioner has already invoked the Competent Civil Court for the relief of declaration with regard to the property, this writ petition is disposed of with a liberty to the petitioner to work out his remedy in second appeal, which is pending before this Court. No costs. Consequently, connected Miscellaneous petition is closed.

13.02.2023

Index : Yes/No
Internet: Yes/No
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