



WP (MD) No.2361 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2023

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CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) No.2361 of 2016

and

WMP (MD) No.2089 of 2016

K.Yasin

... Petitioner

Vs

1.The Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Melur Taluk,
Madurai District.

3.The Assistant Engineer,
Tamil Nadu Electricity Board,
Madurai Electricity Distribution Circle,
Melur.

4.The President of Panchayat,
Melavalavu Panchayat Board,
Kottampatti Panchayat Union.

5.Hameetha Begum

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, forbearing the 2nd respondent from transferring the patta in favour of the 5th respondent and to pass orders on the

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representation of the petitioner dated 07.01.2016 and to direct the 3rd respondent to cancel the power supply effected in favour of the 5th respondent and to direct the respondent to cancel the property tax receipt for the year 2015-2016 dated 31.10.2015 issued in favour of the 5th respondent with respect to the property situated at Door No.5/114, Kaliampatti, Melavalaivu Post, Melur Taluk, Madurai District.

For petitioner : Mr.A.S.Mujibur Rahman
For Respondent : Mr.T.Vilavan Kothai,
Nos.1 and 2 Additional Government Pleader
For Respondent : Mr.S.Deenadhayalan,
No.3
For Respondent : Mr.B.Murugan
No.5
For Respondent : No appearance
No.

ORDER

This writ petition is filed forbearing the 2nd respondent from transferring the patta in favour of the 5th respondent and to pass orders on the representation of the petitioner dated 07.01.2016 and for consequential directions.



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2.The 5th respondent, who purchased the property in S.No.236 of 2A2, has applied for change of patta in his name to the second respondent/ Tahsildar. The petitioner has raised objection before the Tahsildar for the petitioner's application and he has also approached this Court for a mandamus forbearing the respondents from transferring patta in favour of the 5th respondent and for cancelling the power supply effected in favour of the 5th respondent.

3.The learned Counsel for the petitioner and the respondents submit that the petitioner challenging the sale deed dated 06.11.2008 has already filed a suit in OS.No.293 of 2012 before the District Munsif, Melur and the same is pending. The trial has also commenced and interim injunction was granted in favour of the petitioner.

4.Considering the rival submissions, this writ petition is disposed of with liberty to the petitioner to work out his remedy in OS.No.293 of 2012 on the file the District Munsif Court, Melur. Considering the suit is of the year



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2012 and also considering the stage of the suit, the trial Court is directed to dispose of the same as expeditiously as possible. No costs. Consequently connected miscellaneous petition is closed.

13.02.2023

dsk

To

- 1.The Collector,
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Madurai.
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- 3.The Assistant Engineer,
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- 4.The President of Panchayat,
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The District Munsif,
Melur.



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