



WP (MD) No.12383 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) No.12383 of 2017

C.Gomathy

Vs

... Petitioner

1.The Revenue Divisional Officer,
Padmanabhapuram,
Thuckalay Post,
Kanyakumari District.

2.The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

3.Pitchi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, restraining the 1st and 2nd respondents not to effect any mutation in the revenue records in Survey No.1498 New Survey No.543/5 situated in Kannanvilai, Pacode Post, Kanyakumari District pending S.A.No.1134/1996 and from Survey No.1498 New Survey No.543/5 situated in Kanyakumari District.



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For petitioner : Mr.K.Samidurai
For Respondent : Mr.PT.Thiraviam,
No.1 and 2 Government Advocate
For Respondent : Mr.H.Thayumanaswamy
No.4

ORDER

This writ petition has been filed for a writ of mandamus restraining the 1st and 2nd respondents not to mutate the revenue records in old S.No.1498 new S.No.543/5 situated in Kannanvilai, Kanyakumari District that second appeal in S.A.No.1134 of 1996 is pending.

2.When the writ petition is taken up for hearing, the learned Additional Government Pleader appearing for the official respondents submits that that the 3rd respondent herein has filed an application to cancel the patta standing in the name of the petitioner and the revenue officials have issued notice to the petitioner for enquiry on 19.06.2017 and on receipt of the notice from the revenue officials the petitioner has filed this writ petition. However, pending this writ petition the revenue officials have also concluded the proceedings and the patta stood in



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the name of the petitioner has been cancelled and joint patta has been issued in the name of the 3rd respondent and 7 others on 13.08.2017 in Na.Ka.No.Aa3/3910/2015, dated 16.11.2017.

3.Considering the submission made by the learned Additional Government Pleader this writ petition is disposed of with liberty to the petitioner to work out his remedy before the competent civil court or to challenge the order dated 16.11.2017, a copy of which is directed to be furnished to the petitioner by the respondents. No costs.

21.06.2023

dsk

To

1.The Revenue Divisional Officer,
Padmanabhapuram,
Thuckalay Post,
Kanyakumari District.

2.The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
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B.PUGALENDHI, J.

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