



W.P(MD)No.28167 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2023

CORAM

THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.28167 of 2022

and

W.M.P(MD)No.22235 of 2022

Ganesh Babu

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Collectorate Compound,
Madurai.

3.The Tahsildar,
Tirumangalam Taluk,
Madurai District.

4.The District Registrar (Administration),
Madurai South,
Madurai.

5.J.Vanathi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the fourth respondent in his proceedings in g.K.vz;.3503/M2/2022, dated 29.11.2022 and quash the same as devoid of merits and consequently direct the



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second respondent to consider and pass orders on the appeal, dated 09.12.2022, filed under G.O.MS.No.385, Revenue Department, dated 17.08.2004, to rectify the mistakes during the UDR in Survey No.82/7 to an extent of 54 cents, Utappanur Bit I Village, Tirumangalam Taluk, Madurai District.

For Petitioner : Mr.Ananth C.Rajesh
For R-1 to R-4 : Mr.S.Shanmugavel
Additional Government Pleader
For R-5 : Mr.R.Sundar

ORDER

Heard the learned Counsel on either side. Based on the complaint given by the fifth respondent, the document in question executed in favour of the writ petitioner and others has been endorsed as fraudulent. The impugned order was passed by the fourth respondent, only after notice to the writ petitioner. He had also gone through the relevent records. Since contentious facts have come up for consideration, it is only the jurisdictional civil Court that can go into the issue. If according to the petitioner, over the petition mentioned land, he only had title, then he has to establish the same in a manner known to law. It is not for the writ Court to consider disputed questions of fact. Granting liberty to the writ petitioner to move the jurisdictional civil Court, this writ petition stands disposed of. I make it clear that I have not gone into the meirts of the matter.



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There shall be no order as to costs. Consequently, connected Miscellaneous
Petition stands closed.

27.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Btr

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G.R.SWAMINATHAN, J.

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