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W.P.(MD)NO.29985 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.29985 of 2023 AND
W.M.P.(MD)Nos.25847, 25849 & 25850 of 2023

Dr.M.Anandhi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. Through
The District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Thirumangalam Division,
Madurai District.
3. The Tahsildar,
Thirumangalam Taluk,
Madurai District.
4. T.Manilal
5. M/s.Lyme Kemikals Private Ltd.,
Uchapatti Village,
Thirumangalam Taluk,
Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings issued by the 2nd respondent in Ni.Mu.



No.1968/2023/A3 dated 10.11.2023 and quash the same and consequently drop all further proceedings pursuant to the impugned order issued by the 2nd respondent in Ni.Mu. No.1968/2023/A3 dated 10.11.2023.

For Petitioner : Mr.R.Aravindan

For R-1 to R-3 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3.

2. Issuance of notice to the private respondents is dispensed with.

3. The case of the petitioner is that the revenue record in respect of the petition-mentioned property reflected in the name of the fifth respondent. The fifth respondent is said to have been the pattadar for a number of years. The fifth respondent had mortgaged the property with ICICI Bank. They



committed default. Thereafter, under private negotiation, the petitioner had purchased the property under the provisions of the SARFAESI Act. Thereafter, the petitioner applied for mutation of patta. In the meanwhile, the fourth respondent submitted an application for uploading his name in the system. When the matter was enquired into by the second respondent, the second respondent did not accept the case of the fourth respondent, but then, directed reclassification of the land as natham. The petitioner has the remedy of revision before the District Revenue Officer, Madurai.

4. The petitioner can very well avail the said remedy. However, considering the special facts and circumstances of this case, the impugned order is put on hold for a period of eight weeks from today. No consequential reclassification changes shall be made in the revenue record. The petitioner shall file revision before the District Revenue Officer, Madurai within a period of four weeks from the date of receipt of a copy of this order. The petitioner can also seek interim order before the District Revenue Officer. If any such revision is filed, the same shall be disposed of within a period of two weeks after such filing. If the petitioner fails to submit the



application for revision before the District Revenue Officer within the stipulated time, the benefit of this order will stand automatically vacated after the period of eight weeks. I make it clear that I have not gone into the merits of the matter. The contentions of the fourth respondent have not been foreclosed. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

18.12.2023

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

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Note : Issue order copy on 22.12.2023.

To:

1. The State of Tamil Nadu,
Rep. Through
The District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Thirumangalam Division,
Madurai District.
3. The Tahsildar,
Thirumangalam Taluk,
Madurai District.



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G.R.SWAMINATHAN,J.

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