



W.P(MD)No.30509 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30509 of 2023

and

W.M.P(MD)Nos.26242 & 26244 of 2023

Ramesh Babu

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

4.The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

5.Sahayaraj

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned proceedings of the second respondent in A2/30939/2022 dated 27.03.2023 and quash the same.

For Petitioner : Mr.V.Sasikumar

For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R.1 to R.4

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the official respondents.

2.The petitioner challenges the notice issued by the District Revenue Officer. It is seen that the fifth respondent herein had moved the District Revenue Officer with the petition for the correction of the alleged UDR error.

3.The learned counsel appearing for the petitioner states that he has filed O.S.No.190 of 2023 on the file of Sub Court, Aruppukkottai seeking relief of declaration and permanent injunction.



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4.The case of the petitioner is that when the civil Court is seized of the matter, the revenue authority cannot parallelly conduct an enquiry.

5.The learned Additional Government Pleader points out that the suit was filed after the District Revenue Officer took cognisance of the issue.

6.I do not want to go into the controversy. I permit the petitioner to file an Interlocutory Application in the pending suit. The District Revenue Officer can be shown as a respondent in the Interlocutory Application even if he is not shown as the defendant in the main suit. I grant liberty to the petitioner to seek the relief now sought for in this writ petition before the learned Trial Court. The District Revenue Officer, Virudhunagar shall keep the impugned proceedings on hold and in abeyance for a period of twelve weeks from the date of receipt of a copy of this order. During this twelve weeks window period, if the petitioner is able to obtain a restraint order, the District Revenue Officer shall act as per the civil Court's order. If the petitioner is unable to obtain any restraint order, the District Revenue Officer can proceed in the



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manner known to law. I make it clear that the outcome of this writ petition will not have any bearing on the rights of the parties.

7.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

20.12.2023

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

Note: Registry is directed to mark a copy of this order to the learned Sub Judge, Aruppukkottai.

To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
- 3.The Revenue Divisional Officer,
Aruppukkottai,
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G.R.SWAMINATHAN, J.

MGA

4.The Tahsildar,
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and

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