



WEB COPY

W.P.No.18679 of 2024
and W.M.P.No.20481 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.18679 of 2024
and W.M.P.No.20481 of 2024

G.Ramakrishnan

...

Petitioner

versus

The Zonal Deputy Tahsildar,
Taluk Office,
Gobichettipalaiyam,
Erode District.

...

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to order dated 01.06.2024 in Ref.No.2023/0103/10/400099, passed by the respondent and quash the same and to direct the respondent to conduct enquiry in pursuance petitioner's representation dated 11.08.2023 as contemplated under 31(7) of Standing Orders of the Board of Revenue and issue patta to the petitioner in respect of his house site bearing S.F.No.1200/1A, Koogalur Village, Gobichettipalaiyam Taluk, Erode District, Gobichettipalayam Sub-Registration Office.

For Petitioner

:

Mr.G.D.Stalin



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For Respondent : Mr.S.J.Mohamhed Sathik
Government Advocate

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. Challenge has been made to the impugned order rejecting the request of the petitioner to issue a patta and also the sub-division citing the pendency of the suit.

3. The learned counsel for the petitioner would submit that there is a direction to the lower court to dispose of the suit within a period of three months. According to him, the suit will be disposed of. Hence, he is entitled to the patta.

4. When the Civil Court has already seized of the matter, unless the rights of the parties are decided in the Civil Suit, the revenue authorities cannot issue a patta particularly when the suit is pending. Hence, any right of the petitioner is always subject to the result of the suit.



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5. With the above observations, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

15.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

The Zonal Deputy Tahsildar,
Taluk Office,
Gobichettipalaiyam,
Erode District.



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N.SATHISH KUMAR, J.

sri

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