



W.P(MD)No.981 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.981 of 2024

and

W.M.P.(MD)Nos.1005 and 1006 of 2024

P.Kalaiarasi

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Tahsildar,
Madurai North Taluk,
Madurai District.

3.Saravanan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relates to the notice in Na.Ka.No.8763/2023/B1 dated 02.01.2024 issued by the 2nd respondent and quash the same as illegal due to want of jurisdiction.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.D.Sasi Kumar,
Addl. Government Pleader for R1 & R2.
Mr.S.Kumar for R3



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ORDER

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Heard both sides.

2.Patta in respect of the petition mentioned property is presently standing in the name of the writ petitioner. The third respondent herein submitted a petition before the second respondent seeking its cancellation. The second respondent took the same on file and issued notice to the writ petitioner. Challenging the enquiry notice, the present writ petition came to be filed.

3.It is well settled that any enquiry notice by itself does not infringe the rights of the noticee. The learned counsel for the petitioner would state that civil suit is presently pending between the parties and therefore, the revenue authority cannot go into the issue.

4.These are the matters that can be placed before the second respondent. If any adverse order is passed by the second respondent, it is always open to the writ petitioner to either move the higher authority or file a writ petition or pursue her remedy in the pending suit. When such courses of action are open to the writ petitioner, invoking the jurisdiction of this Court at this stage itself does not appear to be in order.



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5.The writ petition is dismissed. I make it clear that I have not gone into the merits of the matter at all. The dismissal of the writ petition does not mean that I have rejected the case of the writ petitioner. The defences of both the parties are left open. No costs. Consequently, connected miscellaneous petitions are closed.

05.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Madurai District.
- 2.The Tahsildar,
Madurai North Taluk,
Madurai District.



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G.R.SWAMINATHAN, J.

ias

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