



W.P.(MD)No.2984 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED 13.02.2024

CORAM

THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.2984 of 2024

and

W.M.P(MD)No.2976 of 2024

R.Sundaramoorthi

...Petitioner

/Vs./

1.The Revenue Divisional Officer,
Aranthangi Taluk,
Pudukkottai District.

2.The Thasildar,
Taluk Officer,
Aranthangi Taluk,
Pudukkottai District.

3.The Town Surveyor,
Aranthangi Municipality,
Aranthangi Taluk,
Pudukkottai District.

4.Singaram

5.The District Revenue Officer,
Pudukkottai.

...Respondents

(R5 is suo motu impleaded vide order of this Court dated 13.02.2024.)

Prayer: Writ Petition - filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the respondents 1 to



W.P.(MD)No.2984 of 2024

3 to kept in abeyance of all proceedings in the light of 1st respondent's order in Mu.Mu.2555/2022/A3 dated 23.02.2023 till the final adjudication will be made in O.S.No.8 of 2019 on the file of the District Munsif Court, Aranthangi and Revision Petition No.786212/2023 on the file of the District Revenue Officer, Pudukkottai by considering the petitioner's representation dated 01.02.2024.

For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.A.Kannan (R1 to R3 & R5)
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the respondents 1 to 3 to kept in abeyance of all proceedings in the light of 1st respondent's order in Mu.Mu.2555/2022/A3 dated 23.02.2023 till the final adjudication is made in O.S.No.8 of 2019 on the file of the District Munsif Court, Aranthangi and Revision Petition No.786212/2023 on the file of the District Revenue Officer, Pudukkottai by considering the petitioner's representation dated 01.02.2024.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents. Since no adverse order is going to be passed in this writ petition, notice to the 4th



W.P.(MD)No.2984 of 2024

respondent is dispensed with. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that subject property was purchased by the petitioner and his wife by way of registered sale deed 14.07.1997. Due to the dispute between the petitioner and the fourth respondent regarding common pathway, the petitioner and his wife filed a civil suit in OS No.8 of 2019 seeking for the relief of permanent injunction and mandatory injunction, which is still pending. The fourth respondent filed a petition before the first respondent to cancel the joint patta issued in the name of the petitioner and his wife. The first respondent passed an order stating that the petitioner and his wife are entitled to only 9 cents, but the patta was granted to the extent of 9.5 cents.

4. The further case of the petitioner is that aggrieved over the order of the first respondent, the petitioner filed a revision before the District Revenue Officer, Pudukkottai, which is also pending. Pending civil suit and revision, the respondents 1 to 3 made an attempt to mutate the revenue records in the light of the first respondent's order and to survey the subject property. In this regard, the petitioner made a representation to the respondents on 01.02.2024.



W.P.(MD)No.2984 of 2024

WEB COPY

5. Since the District Revenue Officer, Pudukkottai, is not a party in this writ petition, before whom the revision petition is pending, the District Revenue Officer, Pudukkottai is suo motu impleaded as 5th respondent.

6. The learned Additional Government Pleader produced written instructions of the second respondent in Na.Ka.10/2024/Aa3 dated 12.02.2024, wherein it is stated that pending civil suit on the file of the District Munsif Court, Aranthangi and revision petition on the file of the 5th respondent, the respondents have not taken any steps to measure the property and change the joint patta issued in the names of the petitioner and his wife and hence, he prayed for dismissal of this writ petition.

7. It is seen that the revision petition filed by the petitioner is pending before the 5th respondent from March, 2023, almost a year. Moreover, the respondents have not taken any steps to consider the representation made by the petitioner.

8. Considering the above observations, this Court, without going into the merits of the case, directs the fifth respondent to dispose of the revision petition



W.P.(MD)No.2984 of 2024

filed by the petitioner within a period of sixteen weeks (16) weeks from the date of receipt of a copy of this order. Till such time, the respondents are directed not to proceed further in the matter.

9. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

13.02.2024

NCC : Yes/No

Index : Yes/No

sm



WEB COPY



W.P.(MD)No.2984 of 2024

V.BHAVANI SUBBAROYAN, J.

sm

TO:-

- 1.The Revenue Divisional Officer,
Aranthangi Taluk,
Pudukkottai District.
- 2.The Thasildar,
Taluk Officer,
Aranthangi Taluk,
Pudukkottai District.
- 3.The Town Surveyor,
Aranthangi Municipality,
Aranthangi Taluk,
Pudukkottai District.
- 4.The District Revenue Officer,
Pudukkottai.

Order made in
W.P(MD)No.2984 of 2024

Dated:
13.02.2024