



W.P(MD)No.7106 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 21.03.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.7106 of 2024

and

W.M.P.(MD)No.6514 of 2024

Prabakaran @ Prabhu

... Petitioner

Vs.

1.The Special Deputy Collector,  
Revenue Court,  
Thanjavur.

2.Srimath Sabapathy Thambiran,  
Junior, Sri Kasi Mutt,  
Thiruppanandal,  
Thiruvidadaimaruthur Taluk,  
Thanjavur District.

... 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 in pursuant to the impugned order passed by the 1st respondent in his proceedings in EP.25/2023 - PT-07/2022 dated 13.10.2023 by way of accepting the arrears of sum of Rs.2,03,116/- petitioner wishes to make a payment as per claimed by the 2nd Respondent and quash the 1st Respondent above mentioned proceedings as illegal.



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For Petitioner : Mr.A.B.Anandan

For Respondents : Mr.M.Lingadurai,  
Spl. Government Pleader for R1.

### **ORDER**

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the first respondent.

2.The petitioner questions the impugned order dated 13.10.2023 passed by the first respondent.

3.The learned counsel for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition.

4.I am not persuaded by the said submissions. This is because the impugned order is only a consequential order and the primary order is dated 11.08.2022. The petitioner had been called upon to pay a sum of Rs.2,03,116/- to the second respondent. The petitioner would claim that the second respondent declined to receive the amount. If that be so, nothing stopped the petitioner from depositing the amount to the credit of P.T.No.7 of 2022. It is



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seen that the petitioner committed default in paying rent from fasli 1388 to fasli 1429. It is for the petitioner to question the primary order.

5. Granting such liberty, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

**21.03.2024**

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

To:-

The Special Deputy Collector,  
Revenue Court,  
Thanjavur.



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**G.R.SWAMINATHAN, J.**

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