



W.P.(MD)No.12363 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.12363 of 2021

and

W.M.P.(MD)Nos.9707 to 9709 of 2021

S.Kamaraj

... Petitioner

Vs.

1. The District Revenue Officer,
Collectorate Campus,
Virudhunagar,
Virudhunagar District.
2. The District Superintendent of Police,
Virudhunagar District,
Virudhunagar.
3. The District Registrar,
Virudhunagar District,
Virudhunagar.
4. The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.
5. The Thasildhar,
Taluk Office,
Aruppukkottai,
Virudhunagar District.



W.P(MD)No.12363 of 2021

6. The Inspector of Police,
Land Grapping Special Cell,
Virudhunagar,
Virudhunagar District.

7. The Sub-Registrar,
Aruppukkottai,
Virudhunagar District.

8. Alagar

9. Seenivasan

10. Karikalan

11. Rajaguru

12. Koodalingam
(R12 is impleaded vide Court order dated
05.04.2024 in WMP(MD)No.18599/2021
in WP(MD)No.12363/2021)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of O.Mu.Aa1/4028/2021, dated 18.05.2021 passed by the fourth respondent and quash the same and consequently directing the fourth respondent to cancel the patta No.7384, for the property bearing Survey No.25/2 situated at Palayampatti Village, Aruppukkottai Taluk, Virudhunagar District issued in the name of 8th respondent by the 5th respondent.



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W.P(MD)No.12363 of 2021

For Petitioner : Mr.C.Sasikumar
for Mr.R.Murugappan

For R1, R3, R4
R5 & R7 : Mr.M.Prakash
Additional Government Pleader

For R2 & R6 : M/s.M.Aasha
Government Advocate (Crl. Side)

For R8 to R11 : Mr.J.Jeyakumaran

For R12 : No appearance

ORDER

The Writ Petition is directed against the order dated 18.05.2021 passed by the fourth respondent and for direction to the fourth respondent to cancel the patta bearing No.7384, for the property in Survey No.25/2 situated at Palayampatti Village, Aruppukkottai Taluk, Virudhunagar District issued in the name of eighth respondent by the fifth respondent.

2. When the matter is taken up for hearing today, the learned counsel appearing for the respondents 8 to 11 would submit that the suit filed by the writ petitioner in O.S.No.91 of 2015 pending on the file of the Principal District Munsif Court, Aruppukkottai was dismissed.



W.P(MD)No.12363 of 2021

WEB COPY

3. The learned counsel appearing for the writ petitioner would submit that the writ petitioner has preferred an appeal and the same is yet to be numbered. But the learned Government Advocate (Criminal Side) appearing for the respondents 2 and 6 would submit that the appeal preferred by the writ petitioner was taken on file and the same is pending in A.S.No.43 of 2024 on the file of the Subordinate Court, Aruppukkottai.

4. It is seen from the records that the fourth respondent has passed the impugned order directing the writ petitioner to proceed with the civil suit pending in O.S.No.91 of 2015 and to sort out his remedy subject to the result of the suit. Since the suit was dismissed and appeal is pending, the writ petitioner can proceed with the appeal and sort out his remedy subject to the result of the appeal.

5. With the above direction, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

14.06.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm



W.P(MD)No.12363 of 2021

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W.P(MD)No.12363 of 2021

K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.12363 of 2021
and
W.M.P.(MD)Nos.9707 to 9709 of 2021

Dated : 14.06.2024