

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

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DATED: 22.01.2024**CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.14436 of 2020**

Rajeshwari

... Petitioner

Vs.

1. The District Revenue Officer,
Madurai District, Madurai.

2. The Tahsildar,
Thiruparankundram Taluk, Madurai District.

3. The Deputy Inspector of Survey,
Thiruparankundram Taluk,
Madurai District.

4. K.Ramasamy

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned order passed by the 2nd respondent in Na.Ka.No.1847/2020/S dated 22.9.2020 and quash the same and directing the 2nd and 3rd respondents to survey the petitioner's land situate in Survey No.31/2A11, 2A13, 2A15, 2A17, 2A18, 2A19, 2A7, 2A8, 2A9 and 76/1A, 82/1B1C, 36/2C2, 36/2K, 2M, 2D2, 2E, 2F, 21 at Thanakkankulam Village, Thiruparankundram Taluk, Madurai as per application made by the petitioner dated 26.2.2020.



For Petitioner : Mr.K.K.Kannan
For R-1 to R-3 : Mr.M.Lingadurai,
Special Government Pleader.
For R-4 : Mr.M.Saravanan

* * *

ORDER

Heard both sides.

2. The petitioner wanted to conduct survey of the petition-mentioned property. Her request was rejected by the Tahsildar, Thiruparankundram on the ground that the patta proceedings are pending before the District Revenue Officer. The stand of the Tahsildar has been assailed in this writ petition

3. During the intervening period, the District Revenue Officer passed the final order and relegated the parties to go before the Revenue Divisional Officer. Instead of going before the Revenue Divisional Officer, the fourth respondent filed O.S.No.28 of 2021 before the Sub Court, Thirumangalam seeking the relief of declaration and permanent injunction. The fourth respondent filed I.A.No.49 of 2021 and on 01.11.2022, he obtained temporary injunction in his favour. The



petitioner Rajeshwari is figuring as the second defendant in the suit.

Since during the pendency of the writ petition, these developments have taken place and since the competent civil Court is seized of the matter, the question of interfering with the impugned order does not arise. This writ petition is closed by directing the parties to work out their rights in the pending civil suit. I make it clear that I have not gone into the merits of the matter. No costs.

22.01.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU



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W.P.(MD)NO.14436 OF 2020

G.R.SWAMINATHAN,J.

PMU

To:

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Madurai District, Madurai.
2. The Tahsildar,
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