



W.P.(MD)No.16073 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.16073 of 2019

R.Mahendran

... Petitioner

versus

1. The District Collector,
Madurai District,
Madurai – 625 020.

2. The Tahsildar,
Madurai East Taluk,
Yanaimalai,
Narasingam,
Madurai – 625 107.

3. The Roman Catholic Diocese
of Madurai,
A Religious and Charitable Society,
Through its Procurator,
Rev. Fr. Peter,
Bishop's House, K.Pudur,
Madurai – 7.

(R3 is impleaded vide order dated 29.09.2020
in W.M.P.(MD)No.14217 of 2019 in
W.P.(MD)No.16073 of 2019)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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seeking for the issuance of Writ of Mandamus, to direct the 2nd respondent to issue patta in favour of the petitioner regarding the land situated at Madurai District, Madurai East Taluk, Kathakinaru Village in Survey No.17/6G based on his representation dated 15.06.2016 to the 2nd respondent.

For Petitioner : Mr.T.Selvam
For R1 and R2 : Mr.A.Baskaran,
Additional Government Pleader
For R3 : Mr.C.Dhanasekaran

ORDER

This writ petition has been filed for a Mandamus, directing the 2nd respondent to issue patta in favour of the petitioner regarding the land situated at Madurai District, Madurai East Taluk, Kathakinaru Village in Survey No.17/6G based on his representation dated 15.06.2016.

2. The petitioner has submitted a representation dated 15.06.2016 to the second respondent, seeking to grant patta in his name for the land in Survey No.17/6G of Kathakinaru Village, Madurai East Taluk, Madurai District and also filed this writ petition in the year 2019.



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3. The learned counsel appearing for the 3rd respondent has filed a typed set of papers and submits that the 3rd respondent has already filed a suit as against the petitioner before the Sub Court, Melur in O.S.No.93 of 2020, wherein, he has also obtained an order of interim injunction in I.A.No.259 of 2020.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 submits that in view of the pendency of the suit, the application of the petitioner has not been processed.

5. The learned counsel appearing for the petitioner submits that after filing of this writ petition, the 3rd respondent has filed the suit in O.S.No.93 of 2020, in order to prevent the petitioner from getting the relief.

6. This Court considered the rival submissions made.



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7. Admittedly, the 3rd respondent has filed a suit as against the petitioner on the subject property, before the Sub Court, Melur and the same is pending in O.S.No.93 of 2020. Both the petitioner and the 3rd respondent have agreed that they will co-operate for early disposal of the suit.

8. In view of the same, this writ petition is disposed of with a direction to the learned Subordinate Judge, Sub Court, Melur, to dispose of the suit in O.S.No.93 of 2020 within a period of six months from the date of receipt of a copy of this order. The petitioner and the 3rd respondent shall co-operate with the trial Court for early disposal of the suit. The petitioner shall work out his remedy based on the outcome of the suit in O.S.No.93 of 2020. No costs.

19.03.2024

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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