



W.P(MD)No.18288 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.18288 of 2021

and

W.M.P(MD)Nos.15117 and 15118 of 2021

Chinnakkan

... Petitioner

Vs.

1.The District Revenue Officer cum
Additional District Magistrate,
Madurai, Madurai District.

2.The Revenue Divisional Officer,
Madurai, Madurai District.

3.The Tahsildar,
Vadipatti Taluk,
Madurai District.

4.A.Palanivel Murugesan

... 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 relating to the impugned order bearing Ni.Mu.No.54622/2017/G5, dated 04.07.2018 passed by the first respondent and quash the same and consequently, direct the respondents 1 to 3 to restore the patta in respect of



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the petitioner's property bearing Survey No.16 measuring an extent of 3 Acre 96 cents in Mettupatti Village, Vadipatti Taluk, Madurai District in the name of the petitioner.

For Petitioner : Mr.M.Gnanagurunathan

For Respondents : M/s.K.Christy Theboral,
Additional Government Pleader,
for R1 to R3.

: Mr.S.Balaji, for R4.

ORDER

The Writ Petition is directed against the order bearing Ni.Mu.No. 54622/2017/G5, dated 04.07.2018 passed by the first respondent and consequently, direct the respondents 1 to 3 to restore the patta in respect of the petitioner's property bearing Survey No.16 measuring an extent of 3 Acre 96 cents in Mettupatti Village, Vadipatti Taluk, Madurai District in the name of the petitioner.

2. When the matter is taken up for hearing today, the learned counsel for the petitioner would submit that the fourth respondent along with two others have filed a suit in O.S.No.153 of 2014, wherein the writ petitioner has filed a counter claim in I.A.No.165 of 2021 and after full trial, the



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learned District Munsif, Vadipatti has passed the judgment and decree, dated 13.12.2022, decreeing the suit as prayed for and that the writ petitioner has preferred an appeal in A.S.No.61 of 2023 and the same is pending on the file of the Principal Sub Court, Madurai. He would further submit that the petition may be closed by giving liberty to sort out their remedy in the appeal pending before the Sub Court, Madurai.

3. The learned counsel for the fourth respondent has produced the copy of the judgment and decree, dated 13.12.2022 passed by the learned District Munsif, Vadipatti. Admittedly, the appeal in A.S.No.61 of 2023 is pending on the file of the Principal Sub Court, Madurai.

4. In view of the submission made by the learned counsel for the petitioner, the Writ Petition is closed, with liberty to the petitioner to workout his remedy in A.S.No.61 of 2023 pending on the file of the Principal Sub Court, Madurai.



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5. With the above directions, the Writ Petition is closed.

Consequently, connected Miscellaneous Petitions are closed. No costs.

15.03.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
das

To

- 1.The District Revenue Officer cum
Additional District Magistrate,
Madurai, Madurai District.
- 2.The Revenue Divisional Officer,
Madurai, Madurai District.
- 3.The Tahsildar,
Vadipatti Taluk,
Madurai District.



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K.MURALI SHANKAR, J

das

Order made in
W.P(MD)No.18288 of 2021
and
W.M.P(MD)Nos.15117 and 15118 of 2021

Dated : 15.03.2024