



W.P.(MD) No.7203 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.7203 of 2015

and

M.P(MD)No.1 of 2015

Valli

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sivangani Taluk,
Sivagangai District.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai Distirct.

3.Muthurakku

4.Yuvarani

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, forbearing the 1st respondent from in any way proceedings with the patta enquiry in Na.Ka.A3-115/2015 at the instance of the 3rd and 4th respondents in respect of the property in Survey No.101-1, patta No.730, Kanjirangal



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Group, Sivagangai Taluk, Sivagangai District.

For Petitioner : Mr.N.Sathish Babu
For R1 & R2 : Mr.P.Thambidurai
Government Advocate
For R3 & R4 : Mr.P.Venkatesan

ORDER

This writ petition is filed for a Mandamus to forbear the first respondent from in any way proceedings with the patta enquiry in Na.Ka.A3-115/2015 at the instance of the third and fourth respondents in respect of the property in Survey No.101-1, patta No.730, Kanjirangal Group, Sivagangai Taluk, Sivagangai District.

2.Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the first and second respondents and the learned counsel appearing for the third and fourth respondents.

3.This writ petition is filed merely based on an enquiry notice and hence, a writ would not lie against the same. That apart the third parties have claimed a right to the property as well. Therefore, the same is not maintainable.



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4.In view of the above, this Writ Petition is dismissed. However, this Court directs the Revenue Divisional Officer to issue notice to the petitioner, the respondents 3 to 6 and the interested parties if any, and hear the parties and thereafter pass an order within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

09.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

Ns

To

1.The Revenue Divisional Officer,
Sivangani Taluk,
Sivagangai District.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai Distirct.



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P.T.ASHA, J.
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