



W.P.(MD).No.11628 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.11628 of 2017

and

W.M.P.(MD)Nos.8965 and 10975 of 2017

M.P.Jeyakumar

...Petitioner

Vs

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

2.Rajammal

3.Ananthi

4.Archunan

5.Ranjith

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned proceedings of the first respondent herein in Mu.Mu.No.22662/2017/G.5, dated 05.06.2017 and quash the same and consequently direct the first respondent to restore the original name of the parties entered prior to updating of Registry.



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For Petitioner : Mr.A.Saravanan
For R-1 : Mr.R.Suresh Kumar
Additional Government Pleader
For R-2 to R-5 : Mr.V.Karuna

ORDER

Heard Mr.A.Saravanan, learned counsel for the petitioner and Mr.R.Suresh Kumar, learned Additional Government Pleader for the 1st respondent and Mr.V.Karuna, learned counsel for the respondents 2 to 5.

2. This Writ Petition has been filed challenging the order of the first respondent dated 05.06.2017 and consequently direct the first respondent to restore the original name of the parties entered prior to updating of Registry.

3. On perusal of the impugned order, it is seen that the District Revenue Officer had directed the parties to appear before the Civil Court for resolving the dispute and thereafter approach the authorities. The issue is squarely covered by the Division Bench of this Court in the case of *Kuppuswami Nainar v. The District Revenue Officer* reported in **1995 1 MLJ 426**, which had been followed in various other judgments till date.



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4. In view of the ratio laid down by the Division Bench of this Court, it only be appropriate for the parties to approach the Civil Court against such orders made by the revenue authorities.

5. Considering the fact that the order made by the revenue as early as on 2017, the petitioner would be entitled to protection under Section 14 of the Limitation Act and if any such suit is filed, the period of pendency of the writ petition shall stand excluded while calculating the period of limitation. It is made clear that, in any event, if suit is filed by the petitioner, the concerned court shall not be influenced by observations made by the order impugned herein.

6. With the above observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

14.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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K.KUMARESH BABU, J.

Nsr

To:

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