



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.26758 of 2023

and

WMP(MD)Nos.23003 of 2023 & WMP(MD)Nos.3639 & 12668 of 2024

Mr.Nathu K.Patel

... Petitioner

Vs.

- 1.The District Revenue Officer,
Madurai District, Madurai.
- 2.The Revenue Divisional Officer,
Melur, Madurai.
- 3.The Tahsildar,
Madurai South Taluk,
Madurai.
- 4.Ameena Niyaz
- 5.M.Karuppasamy
- 6.Perojha Peroz
- 7.Pareen Peroz
- 8.Mohammed Tabreez
- 9.Mohammed Zaheer
- 10.N.Farook



11.A.Yasmin

12.A.Sajith Menor

13.A.Sakeena

14.A.Salle Mohamed

15.A.Tayup

16.A.Ameera

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order dated 30.09.2023 in Ni.Mu.No.G2/55670/2021 passed by the first respondent and quash the same, and consequently direct the first respondent to restore the earlier Patta No.4218.

For Petitioner : Mr.M.Dinesh Hari Sudarsan

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader for R1 to R3

Mr.A.V.Arun for R4

No appearance for R5 to R16

ORDER

The petitioner challenges the order dated 30.09.2023 passed by the District Revenue Officer, Madurai whereby the petitioner's revision petition was dismissed. The learned counsel for the petitioner states that the petitioner



would go before the jurisdictional civil court to establish his rights. His only apprehension is that the findings rendered by the District Revenue Officer, Madurai may prejudice his rights. The petitioner wants to contest the same in these writ proceedings.

2. After hearing the learned Additional Government Pleader for the official respondents and the learned counsel for the contesting respondent, I am of the view that this writ petition can be disposed of in the following manner :

1. I do not interfere with the operative portion of the order dated 30.09.2023 passed by the DRO, Madurai. However, the findings set out therein will not be of any consequence and they will not be relied upon to the prejudice to the writ petitioner if the petitioner files any civil suit.
2. In other words, the civil court will decide the issue independently and on its own merits and on the basis of the evidence adduced before it.

The petitioner is given liberty to file civil suit against the contesting respondents for establishing his rights.



3.This writ petition is disposed of. No costs. Connected miscellaneous petitions are closed.

09.07.2024

skm

To

- 1.The District Revenue Officer,
Madurai District, Madurai.
- 2.The Revenue Divisional Officer,
Melur, Madurai.
- 3.The Tahsildar,
Madurai South Taluk,
Madurai.



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G.R.SWAMINATHAN, J.

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