



W.P.(MD)No.3326 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3326 of 2025

Sundarraaj

... Petitioner

/Vs./

1.The District Collector,
Office of the District Collector,
Madurai District.

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

3.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

4.The Tahsildar,
Kallikudi,
Thirumangalam Taluk,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to Enquire into the Recommendation letter issued by the third respondent to the fourth respondent in Na.Ka.No.2816/2019 dated 16.05.2019.



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For Petitioner : Mr.K.P.Ramesh

For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. I have heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner has filed this writ petition seeking issuance of writ of mandamus to direct the second respondent to enquire into the recommendation letter issued by the third respondent to the fourth respondent in Na.Ka.No.2816/2019, dated 16.05.2019.

4. The revision petition is pending before the second respondent. The petitioner earlier filed W.P(MD)No.1499 of 2018. The said writ petition was disposed of by this Court on 04.04.2019 with a



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direction to the third respondent to conduct an enquiry after hearing both the parties and take decision in accordance with law. Aggrieved by the said order, the petitioner filed writ appeal in W.A(MD)No.574 of 2019. The said writ appeal was disposed of by the Division Bench of this Court on 11.06.2024 with a direction to the petitioner to approach the District Revenue Officer with an appeal to challenge the order of the Revenue Division Officer, dated 16.05.2019.

5. It is a specific case of the petitioner that pursuant to the judgment of the Division Bench, the petitioner has filed a revision before the second respondent and the same is pending. According to the petitioner, the respondents 5 to 37 in the writ appeal are totally unnecessary parties and their presence in the revision would only complicate the matter and also multiply litigation and therefore, seek for writ of mandamus to the second respondent to take into consideration the recommendation letter of the third respondent issued to the fourth respondent as early as on 16.05.2019.



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6. Admittedly, the revision is pending before the second respondent. The writ petition filed by the petitioner was disposed of by this Court on 04.04.2019 specifically stating that the third respondent would have to conduct an enquiry after hearing both parties. It is for the revisional authority to consider and decide whether the said private respondents are proper and necessary parties to the revision. Considering the objections raised by the petitioner in this regard, it would suffice to direct the second respondent to take up the issue of the respondents 5 to 37 being proper and necessary party as a preliminary issue and decide the same. The preliminary issue shall be decided after giving an opportunity to the petitioner as well as the private respondents 4 to 37 in the writ appeal within a period of six weeks from the date of receipt of a copy of this order and subject to any findings rendered in the preliminary investigation, further process may continue in the revision petition including whether lands are patta lands or Natham lands and the revision shall be decided within a period of eight weeks thereafter.



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7. With the above direction, the writ petition is disposed of.

No costs.

Index : Yes / No

NCC : Yes / No

am

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P.B. BALAJI, J.

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Order made in
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