



W.P.(MD)No.6055 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.6055 of 2025

and

W.M.P.(MD)No.4445 of 2025

M.Rajendran

: Petitioner

Vs.

1.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

2.The Tahsildar
Tiruchendur Taluk,
Tiruchendur.

3.Gopi

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the entire proceedings in Na.Ka.No.A3/10434/2024 dated 12.02.2025 on the file of the first respondent herein and to quash the same, by allowing the above writ petition.



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For Petitioner : Mr.G.Aravinthan
for M/s.Aran Legal Consultancy
For Respondents 1&2 : Mr.B.Saravanan
Additional Government Pleader
For Respondent 3 : Mr.S.Vinayak

ORDER

The petitioner has challenged the enquiry notice in Na.Ka.No.A3/10434/2024 dated 12.02.2025.

2. Heard the learned Counsel for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents 1 and 2 and Mr.S.Vinayak, learned Counsel appearing for the contesting third respondent.

3. It appears that the third respondent, aggrieved by the inclusion of the petitioner's name in the patta has made an application to the Revenue Divisional Officer, Tiruchendur and in furtherance of the said application of the third respondent, the Revenue Divisional Officer has initiated proceedings and issued the notice calling upon the writ petitioner to appear for enquiry.

4. The learned Counsel for the petitioner would submit that the third respondent has filed a suit in O.S.No.64 of 2024, which is



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pending on the file of the District Munsif Court, Tiruchendur. He would therefore, submit that when the third respondent himself has approached the Civil Court, the enquiry would be futile.

5.However, learned Counsel for the third respondent, taking me through the plaint and the relief sought for in the suit, would submit that the suit has been filed only to restrain the defendants therein and therefore, the same has nothing to do with the present enquiry proceedings that has been initiated only pursuant to initiation of the third respondent to remove the name of the petitioner, considering the fact that including the name of the petitioner, joint patta was already standing in the name of the petitioner's vendors.

6.Therefore, I do not find that the pendency of the suit will come in the way of the enquiry which is pending before the Revenue Divisional Officer. However, opportunity has been provided to the writ petitioner as well.

7.Therefore, the Writ Petition is disposed of, directing the Revenue Divisional Officer to conduct enquiry based on the third respondent's representation after affording opportunity to the petitioner and third respondent and thereafter pass final orders on merits and in accordance with law within a period of twelve [12]



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weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

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Tiruchendur,
Thoothukudi District.

2.The Tahsildar
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P.B.BALAJI., J.

MR

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