



W.A.(MD)No.1593 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.1593 of 2025
and
C.M.P.(MD)No.8974 of 2025**

Arunachalam

... Appellant

Vs.

1.Keerthiga Lakshmi

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Tenkasi District.

3.The Tahsildar,
O/o. The Tahsildar,
Tenkasi Taluk,
Tenkasi District.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.24981 of 2024 dated 19.02.2025 on the file of this Court.



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W.A.(MD)No.1593 of 2025

For Appellant : Mr.Arul Jenifer,
For M/s.KBS Law Office.

For Respondents : Mr.G.Prabhu Rajadurai for R1.
Mr.N.Satheeshkumar,
Addl. Government Pleader for R2 & R3.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The property in question stood in the name of Lakshmithai. Lakshmithai had four children namely, Arunuchalam, Muthuraj, Sanjeevi Rajan and Anjadevi. After the demise of Lakshmithai, the revenue record in respect of the petition mentioned property was mutated in favour of the appellant and his siblings. While so, the grandchildren claimed that Lakshmithai had executed a Will in their favour. One of them was Karthigeyan. Karthigeyan executed a settlement deed in favour of his wife namely, Keerthiga Lakshmi. Based on the said settlement deed, Keerthiga Lakshmi moved the Tahsildar, Tenkasi Taluk and the revenue record was mutated in favour of the beneficiaries of the Will (five

2/6



W.A.(MD)No.1593 of 2025

grandchildren). According to the appellant, this mutation was done behind his back. No notice was issued to the incumbent pattadars. Therefore, the appellant filed an appeal before the Revenue Divisional Officer, Tenkasi. The Revenue Divisional Officer, Tenkasi issued enquiry notice dated 25.09.2024. In the meanwhile, the parties have already filed O.S.No.293 of 2024 and 315 of 2024 before the Principal District Munsif, Tenkasi seeking various reliefs. Challenging the enquiry notice, Keerthiga Lakshmi filed W.P.(MD)No.24981 of 2024. The learned Single Judge took note of the fact that since Civil court had already seized of the matter, the revenue authority cannot conduct any parallel enquiry. In this view of the matter, the enquiry notice came to be quashed. In order to safeguard the rights of the parties, the learned Single Judge also directed restoration the name of original owner namely, Lakshmithai. Thus, the writ petition came to be disposed vide order dated 19.02.2025. The Trial Munsif was also called upon to dispose of the suit within a period of six months. Challenging the order of the learned Single Judge, this writ appeal has been filed.



W.A.(MD)No.1593 of 2025

3. We are of the view that quashing the enquiry notice was in order.

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When the Civil Court is seized of the matter, the revenue authority cannot conduct parallel enquiry. Therefore, we decline to interfere with this part of the order of the learned Single Judge. There is some merit in the contention that restoration of the names of the incumbent pattadars should have been ordered and not restoration of the name of Lakshmithai. We, therefore, interfere with the order of the learned Single Judge to this extent and direct that the revenue record shall reflect the names of the appellant and his siblings. The appellant and his siblings are however directed not to alienate or encumber the petition mentioned property till the disposal of the civil suit. The order made in these writ proceedings will not be relied on by either of the parties. The Civil Court will decide the issue based on the evidence adduced before it. Keerthiga Lakshmi informs us through her counsel that she will not make any further alienation or encumber the petition mentioned property in any manner. Therefore, the settlement deed executed in her favour will abide by the outcome of the civil suit. The Trial Munsif is requested to expedite the suit proceedings.



W.A.(MD)No.1593 of 2025

WEB COPY 4.This writ appeal is partly allowed. No costs. Consequently,
connected miscellaneous petition is closed.

(G.R.S. J.) & (K.R.S. J.)
18.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

1.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Tenkasi District.

2.The Tahsildar,
O/o. The Tahsildar,
Tenkasi Taluk,
Tenkasi District.

Copy to:

The Principal District Munsif Court,
Tenkasi.



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W.A.(MD)No.1593 of 2025

G.R.SWAMINATHAN, J.
and
K.RAJASEKAR, J.

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W.A.(MD)No.1593 of 2025

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