



W.P.(MD)No.11138 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2025

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

W.P.(MD)No.11138 of 2025

and

W.M.P.(MD)No.8303 of 2025

H.Janaki Devi

: Petitioner

Vs.

1.The District Collector,
O/o. The District Collector,
Ramanathapuram District.

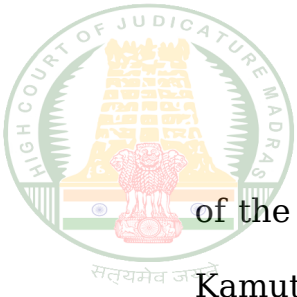
2.The District Revenue Officer,
O/o. The District Revenue Officer,
Ramanathapuram District.

3.The Tahsildar,
Kamuthi Taluk,
Ramanathapuram District.

4.M.Chellaperumal

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the second respondent to keep the enquiry proceedings in abeyance in respect



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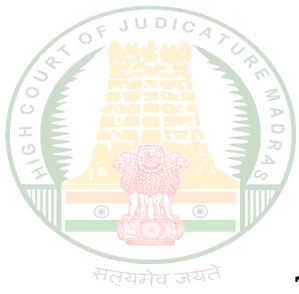
of the land in S.No.74/2B2B situated at Nagarathaarkuruchi Village, Kamuthi Taluk, Ramanathapuram District by considering the petitioner's representation dated 27.03.2025, within the time frame fixed by this Court.

For Petitioner : Mr.T.Thirumurugan
For Respondents 1 to 3 : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the second respondent to keep the enquiry proceedings in abeyance in respect of the lands in S.No.74/2B2B, situated at Nagarathaarkuruchi Village, Kamuthi Taluk, Ramanathapuram District.

2.The petitioner has given a representation on 27.03.2025. However, despite the said objections of the writ petitioner, regarding the enquiry proceedings citing pendency of civil suit in O.S.No.215 of 2024, before the Sub-Court, Muthukulathur, the second respondent has proceeded with the enquiry and has in fact proposed hearing to be conducted on 25.04.2025 and notices have also been issued to the petitioner.



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3.The grievance of the petitioner is that pending the civil suit, the revenue authorities cannot conduct any enquiry and parallelly pass any orders which would lead to unnecessary confusion and multiplicity of litigations. No doubt, the petitioner is having some iota of merit. But when the petitioner herself has chosen to approach the competent civil Court, through O.S.No.215 of 2024, it would be appropriate for the petitioner to move the Sub-Court, Muthukulathur, by way of an Interlocutory Application, seeking to restrain the respondents from conducting any enquiry instead of approaching this Court under Article 226 of the Constitution of India.

4.In view of the above, I do not find any merit in the Writ Petition. However, liberty is granted to the petitioner to move an Interlocutory Application in the pending suit.

5.Considering the disposal of the Writ Petition nearing the enquiry proceedings, the second respondent shall defer the enquiry proceedings by eight [8] weeks to enable the petitioner to move an Interlocutory Application in the pending suit and get favourable orders. In the event of the petitioner not succeeding in getting any interim orders from the civil Court, the revenue Divisional Officer shall proceed with the enquiry.



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6.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

22.04.2025

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



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To

- 1.The District Collector,
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P.B.BALAJI., J.

MR

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