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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty Seventh day of June Two Thousand and Twenty Five

PRESENT

THE HONOURABLE MR. JUSTICE P.B. BALAJI

WMP(MD). No.9983 of 2025
in
WP(MD)No.4526 of 2025

Annalakshmi ... Petitioner/Respondent No.3

Vs

1 Yemu Konar ... Respondent/Petitioner

2 The Revenue Divisional Officer
Tenkasi
Tenkasi District.

3 The Tahsildar
Kadayanallur Taluk
Tenkasi District. ... Respondents/Respondents

Prayer in WMP(MD). No.9983 of 2025:-

Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India,to recall the order passed by this Honble Court in W.P.(MD)No.4526 of 2025, dated.20.02.2025 and pass such further reliefs as this Honourable Court may deem fit and proper in the circumstances of this case.

Prayer in WP(MD)No.4526 of 2025:-

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to remove the name of the third respondent from the patta No.4485 in respect of S.No.80/2 to an extent of 48 cents of Chockampatti Village, Kadayanallur Taluk and to issue separate patta on

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the name of the petitioner for the punja land comprised in S.No. 80/2 to an extent of 48 cents situated at Chockampatti Village, Kadayanallur Taluk, Tenkasi District, within the time frame as fixed by this Court.

ORDER:-

This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.S.Sinduja, Advocate for the Petitioner, this Court made the following order:

The third respondent in the writ petition has come up with this writ miscellaneous petition seeking to recall the order passed by me on 20.02.2025 in W.P.(MD)No.4526 of 2025. The review petitioner is the third respondent in the writ petition. The learned counsel for the petitioner states that a civil suit was filed touching the very same issue in question and hence the revenue authorities cannot take any decision, pending the civil suit. It is pointed out to the learned counsel for the review applicant that the suit has been already disposed in favour of the writ petitioner and that the order also records the same.

2. The learned counsel for the review applicant states that as against the judgment and decree in O.S.No.369 of 2016, an appeal has been preferred in A.S.No.87 of 2024 before the Principal Sub Court Thenkasi. In fact, in my order, I have also recorded the pendency of the appeal. Therefore, I do not see any ground to recall the said order, as prayed for by the Review applicant.

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3. However, the learned counsel for the review applicant / third respondent seeks for expeditious disposal of A.S.No.87 of 2024 before the Principal Sub Court Thenkasi. Considering the fact that the rights of the parties will get adjudicated in A.S.No.87 of 2024, finally, the Principal Sub Court, Thenkasi is directed to dispose of the A.S.No.87 of 2024 on its file within a period of four (4) months.

4. Accordingly, this writ miscellaneous petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS-II)

// True Copy //

/ /2025
Sub Assistant Registrar
(CS - I/II/III/IV)

TO

1 The Revenue Divisional Officer
Tenkasi
Tenkasi District.

2 The Tahsildar
Kadayanallur Taluk
Tenkasi District.

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai.

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+1 CC to M/s. R.Rajamohan , Advocate(SR-38033[F]

+1CC to M/s. Govt. Pleader, SR.38354

ORDER DATED : 27/06/2025

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ORDER

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WMP(MD). No.9983 of 2025
in
WP(MD)No.4526 of 2025
Giving direction and etc.
as stated within.

TS (28/08/2025) 4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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