



W.P.(MD)No.12765 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.12765 of 2025

and

W.M.P(MD)No.9219 of 2025

Ramjanbeevi

.... Petitioner

/Vs/

1. The District Collector
District Collector Office,
Ramanathapuram,
Ramanathapuram District.
2. The Revenue Divisional Officer
Office of the Revenue Divisional Officer,
Ramanathapuram, Ramanathapuram District.
3. The Tahsildar
Keelakkarai Taluk,
Ramanathapuram District.
4. Abbas Khan

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for records pertaining to the impugned proceedings pending in Na.Ka.No. A5/9881/2024 dated 10.01.2025 on the file of the 2nd respondent Office and quash the same as illegal.



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For Petitioner : Mr.Henri Patrick Tiphange
For R1 to R3 : Mr.M.Lingadurai
Special Government Pleader
For R4 : Mr.J.Barathan

ORDER

I have heard Mr.Henri Patrick Tiphange, learned counsel appearing for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.J.Barathan, learned counsel appearing for the fourth respondent.

2. The learned counsel appearing for the petitioner would submit that there has been multiple litigation between the parties in respect of the subject properties and the petitioner has been found to be entitled to the subject lands and therefore, the proceedings before the Revenue Divisional Officer are totally unnecessary. He would therefore, seek for stay of the enquiry initiated by the Revenue Divisional Officer.

3. Per contra, the learned counsel for the fourth respondent would submit that the dispute which is referred to by the petitioner is pertaining



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to a different survey number and in respect of Survey No.72/2A1B, civil suit and other proceedings have been taken and not in respect of survey number 72/1A2A, 72/1A2. He would further submit that the petitioner has not even established her entitlement to the said survey number 72/1A2 and 72/1A2A, by producing relevant registered documents.

4. Be that as it may, the enquiry which is now sought to be conducted by the Revenue Divisional Officer, Ramanathapuram is only based on the application made by the fourth respondent herein, who claims to be entitled to the subject survey numbers. It is open to the petitioner to appear before the Revenue Divisional Officer and produce all the documents and also put forth all objections and contentions available to the petitioner under law. The second respondent shall hear the petitioner as well as the fourth respondent and consider the objections of the petitioner and deal with the same on merits and in accordance with law and thereafter, subject to the decision on the objections of the petitioner, the second respondent shall take further proceedings to dispose of the fourth respondent's application.



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5. If the second respondent, on hearing the objections of the petitioner finds that the enquiry that is sought to be conducted is pertaining to the very same property which is subject matter of the suit, then further enquiry proceedings will be dropped and parties shall be directed to wait for the outcome of the litigation in the Civil Court.

6. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.
am

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