



W.A(MD) No.16 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 03.06.2025

CORAM

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

W.A(MD) No.16 of 2023

V.Srinivasha Perumal

... Appellant / 4th Respondent

Vs

1.Subramaniya Bharathi

... 1st Respondent / Writ Petitioner

**2.The District Revenue Officer,
District Revenue Office,
Thoothukudi,
Thoothukudi District.**

**3.The Revenue Divisional Officer,
Revenue Divisional Office,
Kovilpatti,
Thoothukudi District.**

**4.The Tahsildar,
Kovilpatti Taluk,
Thoothukudi District.**

... Respondents 2 to 4 / Respondents 1 to 3



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed in W.P.(MD)No.15674 of 2020, dated 07.12.2021 and allow the writ appeal.

For Appellant : Mr.J.Pooventhera Rajan

For Respondent : Mr.R.Karunanidhi
for R1
: Mr.A.Kannan
Additional Government Pleader
for R2 to R4

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

This writ appeal is directed against the order dated 07.12.2021 made in W.P.(MD)No.15674 of 2020 filed by one Subramania Bharathi (R1) herein.

2. The learned single Judge had not gone into the factual aspects at all. The only direction given by the learned single Judge was that in the revenue record, the name of the pattadhar should be changed from Kandasamy Naidu to Nandhasamy Naidu.



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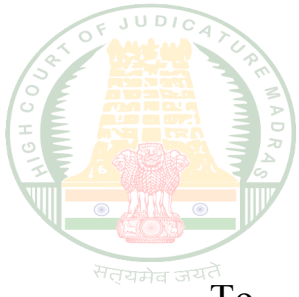
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3. It is not in dispute that the subsequent purchaser had already filed a comprehensive declaration suit in O.S.No.161 of 2023 on the file of the II Additional District Judge, Thoothukudi. In respect of the very same subject matter, the appellant herein had filed O.S.No.144 of 2023 on the file of the District Munsif Court, Kovilpatti. It appears that the subsequent purchasers had filed O.S.No.194 of 2022 on the file of the District Munsif Court, Kovilpatti and O.S.No.209 of 2023 on the file of the Sub Court, Kovilpatti. Since the parties had already gone to the civil Court, we are of the view that the civil Court can decide the issue. We direct the learned II Additional District Judge, Thoothukudi to withdraw the other three suits to his file and give a common disposal. The contentions of both the parties are left open. The Writ Appeal is disposed of accordingly. No costs.

(G.R.S., J.) (K.R.S., J.)
03.06.2025

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

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District Revenue Office,
Thoothukudi,
Thoothukudi District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kovilpatti,
Thoothukudi District.
- 3.The Tahsildar,
Kovilpatti Taluk,
Thoothukudi District.

Copy To:

- 1.II Additional District Judge, Thoothukudi.
2. The District Munsif Court, Kovilpatti.
- 3.The Sub Court, Kovilpatti.
- 4.The Principal District Judge, Thoothukudi.



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