



W.A(MD)No.1580 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.A(MD)No.1580 of 2024
and
CMP(MD)No.12357 of 2024**

R.Shanmugam

... Appellant

vs.

**1. The District Revenue Officer,
Pudukkottai,
Pudukkottai District.**

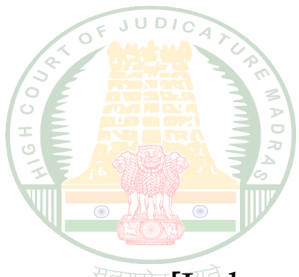
**2. The Tahsildar,
Alankudi Taluk,
Alankudi Taluk Office,
Alankudi Post & Taluk, Pudukkottai District.**

3. Mr.K.Selvam

... Respondents

**PRAYER: Appeal filed under Clause 15 of the Letters Patent,
against the order dated 15.07.2024 made in W.P(MD)No.14904 of 2023.**

**For Appellant : Mr.K.Raja
For R1 & R2 : Mr.B.Ramanathan
For R3 : Mr.A.Saravanan**



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JUDGMENT

[Judgment of the Court was made by A.D.JAGADISH CHANDIRA, J.]

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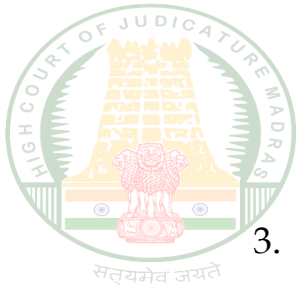
This intra-court appeal is filed challenging the order passed by the learned single Judge in W.P(MD)No.14904 of 2023, dated 15.07.2024.

2. The learned single Juge after hearing both sides, had passed the following order:

"Heard both sides.

2.After hearing both sides at length, I am clearly of the view that the issue has to be resolved only before the jurisdictional civil Court. It is seen that a partition suit was already filed in O.S.No.47 of 2015 on the file of the learned I Additional District Judge, Pudukottai. The third respondent herein has filed an Interlocutory Application for getting himself impleaded. The said Interlocutory Application can as well be allowed and the issue raised in this writ petition can be adjudicated in the pending partition suit. It is also open to the petitioner herein to file an independent suit if so advised.

3.Granted such liberty to the petitioner, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed."



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3. The only grievance of the appellant/writ petitioner is that the learned single Judge while relegating the issue to the Civil Court, ought to have set aside the impugned order of the 1st respondent and therefore, the present writ appeal has been filed.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the District Revenue Officer is the competent authority to pass the order. However, since the dispute is pending before the Civil Court, subject to the outcome of the civil suit, modification orders can be passed by the revenue authorities after due enquiry.

5. The learned counsel for the 3rd respondent would submit that the civil suit is pending between the parties in O.S.No.47 of 2015 on the file of the District Court, Pudukkottai.

6. Having heard the parties, we find that there is no infirmity in the order passed by the learned single Judge. The Writ Appeal stands dismissed. However, it is made clear that both the parties shall not



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approach the registering authorities for registering the property which is the subject matter of the suit in O.S.No.47 of 2015 or create further encumbrance based on the revenue documents, till the disposal of the suit. No costs. Consequently, connected miscellaneous petition is closed.

[A.D.J.C., J.] [R.P., J.]
01.08.2025

Index : Yes / No
Neutral Citation : Yes / No
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To:

1. The District Revenue Officer,
Pudukkottai,
Pudukkottai District.

2. The Tahsildar,
Alankudi Taluk,
Alankudi Taluk Office,
Alankudi Post & Taluk, Pudukkottai District.



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

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JUDGMENT MADE IN
W.A(MD)No.1580 of 2024
DATED : 01.08.2025