



W.P.(MD)No.17668 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

WP(MD)No.17668 of 2018

and

W.M.P.(MD)No.15550 of 2018

V.Nagendran

... Petitioner

Vs.

1. The District Collector

Collectorate Office, Madurai.

2. The Tahsildar

Madurai North Taluk,

Madurai.

3. Kamala

(R3 impleaded vide court order dated 15.04.2025

In WMP(MD)No.492/2019)

4.V.Shanmugam

(R4 impleaded vide court order dated 15.04.2025

in WMP(MD)No.21048 of 2018)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to dispose the petitioner's subdivision and patta transfer online application No.2018/0105/24/066168 dated 26.06.2018 related to the Patta No.177 in Survey No.83/2 Patta No.244 in Survey No.53/2B situated at Vilangudi IInd Bit, Madurai North Taluk , Madurai, within a time frame fixed by this Court.



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For Petitioner : Mr.M.Venkatesan

For Respondents : Mrs.K.Malathi
Additional Government Pleader for R1&2

: Mr.D.Malaichamy for R3

: Mr.R.Anand for R4

ORDER

The petitioner seeks issuance of writ of mandamus, to dispose the petitioner's subdivision and patta transfer.

2. I have heard the learned counsel on either side.

3. According to the petitioner, the petitioner has become entitled to the subject survey numbers, under a Will, which is contested by the private respondents. Though the petitioner succeeded in the first round of litigation in the suit in O.S.No.116 of 2006, first appeal is pending at the instance of the private respondent in A.S.Nos.145 of 2018 and 101 of 2019 before the learned Subordinate Judge, Madurai. The subject matter of dispute in the said appeals is also substantially and directly the same involved in the present writ petition.



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4. Considering the pendency of the said appeals before the Subordinate Judge, Madurai, this Writ Petition is disposed of directing the Subordinate Judge, Madurai, to hear the first appeals, in A.S.Nos.145 of 2018 and 101 of 2019, expeditiously and dispose of the same in accordance with law and on merits within a period of three months from the date of receipt of a copy of this order. Subject to the final outcome of the said first appeals, the petitioner's online application dated 26.06.2018, shall be accordingly disposed of thereafter within a period of four weeks. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No

NCC : Yes / No

LS

15.04.2025

To

1. The District Collector

Collectorate Office,

Madurai.



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2. The Tahsildar
Madurai North Taluk,
Madurai.

Copy to

The Subordinate Judge,
Madurai



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P.B. BALAJI, J.

LS

Order made in
W.P.(MD)No.17668 of 2018

Dated:
15.04.2025