



W.P(MD)NO.22918 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.08.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.22918 of 2025

and

W.M.P(MD)No.18000 of 2025

Allirani

... Petitioner

.Vs.

1.The Revenue Divisional Officer,
Aruppukottai Division,
Aruppukottai, Virudhunagar District..

2.The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

3.Pathma

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the proceedings of the impugned notice in Na.Ka.Aa.4/1051/2024, dtd 31.7.2025 issued by the first respondent and quash the same as illegal, arbitrary, malafide, non application of mind and violation of the circular issued by the Additional Chief Secretary in Ref.No.K3/27160/2008, dated 13.3.2016.



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For Petitioner : Mr.K.SangiliMurugan

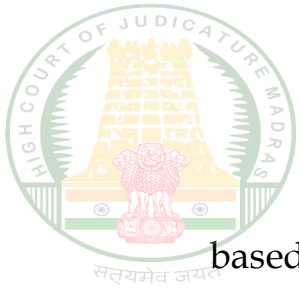
For Respondents : Mr.M.Gangatharan
1 and 2 Govt. Advocate

ORDER

The Writ Petition is filed challenging the enquiry notice issued by the first respondent.

2.Mr.M.Gangatharan, learned Government Advocate takes notice for the respondents 1 and 2. By consent of both parties,the Writ Petition is taken up for final disposal at the admission stage itself.

3.The third respondent herein filed a civil suit seeking declaration that the sale deed in favour of the Petitioner, dated 31.7.2007 as null and void in O.S.No.16/2021, on the file of Principal District Munsif Court, Aruppukottai. The said suit was decreed as prayed for and the sale deed in favour of the Petitioner is declared as null and void. Aggrieved by the said decree, the Petitioner preferred an appeal in A.S.NO.20 of 2024, on the file of Sub-Court, Aruppukottai and the same is pending. In the meantime, the third respondent submitted an application before the first respondent seeking mutation of revenue records

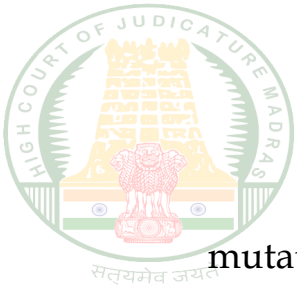


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based on the decree obtained by him. The first respondent issued the impugned notice to conduct an enquiry on the application submitted by the third respondent. Aggrieved by the same, the Petitioner has filed this Writ Petition for the relief stated supra.

4.The learned counsel for the Petitioner submits that when the appeal filed by the Petitioner is pending before the Civil Court, the first respondent ought not have entertained the application filed by the third respondent seeking mutation of revenue records and issue notice for conducting an enquiry.

5.Admittedly, the sale deed in favour of the Petitioner has been declared as null and void by the competent civil Court and the said decree has been challenged in regular appeal in A.S.NO. 20 of 2024. It is for the Petitioner to obtain appropriate interim order before the First Appellate Court by moving necessary application. When the third respondent moved the revenue authorities seeking mutation of revenue records based on the civil Court decree obtained by him, the first respondent is justified in issuing the impugned notice for conducting an enquiry on the application submitted by the third respondent. Unless the Petitioner produces any interim order staying operation of trial Court's decree or otherwise restraining third respondent from



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mutating revenue records, the first respondent is entitled to proceed with the matter in accordance with law. Therefore, this Court is not inclined to entertain the present Writ Petition.

6. Accordingly, the Writ Petition stands dismissed, with liberty to the Petitioner to move an application seeking necessary interim order before the First Appellate Court, in the manner known to law. No costs. Consequently, connected Miscellaneous Petition is closed.

21.08.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

1. The Revenue Divisional Officer,
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Aruppukottai, Virudhunagar District..

2. The Tahsildar,
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S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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and
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