



W.P.(MD)No.26322 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.26322 of 2024

and

W.M.P(MD)Nos.22319 & 22320 of 2024

N.Anand Sudharsan

.... Petitioner

/Vs/

1. The Revenue Divisional Officer
Kovilpatti, Thoothukudi District.

2. The Tahsildar
Ottapidaram Taluk,
Thoothukudi District.

3. K.Rengammal

4. Sankaranarayanan

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records pertaining to the impugned order passed by the 1st respondent dated 19.10.2024 in Na.Ka.A2/9747/2024 and to quash the same.

For Petitioner : Mr.V.Sasi Kumar

For R1 & R2 : Mr.M.Lingadurai
Special Government Pleader

For R3 & R4 : Mr.S.Anwarsameem



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ORDER

The writ petition has been filed challenging the order of the first respondent in Na.Ka.A2/9747/2024, dated 19.10.2024.

2. It is brought to my notice that pending the writ petition, the writ petitioner has filed a suit in O.S.No.23 of 2025 before the Sub-Court, Tuticorin seeking the relief of declaration of title and various other substantial reliefs. When the writ petitioner himself has approached the competent civil court seeking relief of declaration and various other reliefs, it may not be proper to the Writ Court to exercise the jurisdiction and rule over the findings of the revenue authorities, which are proceedings taken in summarily.

3. In view of the above, I do not find any justifiable grounds to interfere with the order impugned, giving liberty to the writ petitioner to proceed the civil suit. It shall also be open to the contesting defendants to defend the suit including take out application for rejection of plaint, if so advised. It is however made clear that the observations and findings of the revenue authorities shall not come in the way of the respective parties



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establishing their rights in the pending suit.

4. The learned counsel for the respondents 3 & 4 would submit that the petitioner's sale deed has already been cancelled, which was upheld by the Hon'ble Division Bench of this Court and the petitioner has chosen to suppress the said proceedings in the present writ petition. It is open to the respondents 3 & 4 to raise all these contentions in the suit. The learned counsel for the petitioner would submit that the petitioner is entitled to seek review of the order of the Division Bench. It is needless to state that the petitioner can invoke an available remedies open to him.

5. With the above observations, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.
am

Order made in
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04.04.2025