



W.P(MD)No.24098 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24098 of 2025

and

W.M.P(MD)No.18905 of 2025

Janaki

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Orathanadu,
Thanjavur District.

3.The Tahsildar,
Orathanadu Taluk,
Orathanadu,
Thanjavur District.

4.Brindha

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, forbearing the third



W.P(MD)No.24098 of 2025

respondent from granting or issuing any separate patta in favour of the fourth respondent in respect of property situated at Thanjavur District, Orathanadu Taluk, Kovilur Revenue Village, (Neduvakottai village) Survey No. 236 to an extent 2.2.50 Hectare, pending disposal of the original suit in O.S No.324 of 2025 on the file of Sub Court, Pattukottai based on the petitioner's objection dated 09.08.2025 within stipulated time fixed by this Court.

For Petitioner : M/s.C.Bharathi

For Respondents : Mr.P.Thambi Durai
Government Advocate
for R.1 to R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondents 1 to 3. Considering the nature of relief to be granted, issuance of notice the fourth respondent is dispensed with.

2.The petitioner wants this Court to forbear the third respondent from issuing any separate patta in favour of the fourth respondent in respect of the petition mentioned property.



W.P(MD)No.24098 of 2025

3.The learned counsel for the petitioner states that the petitioner has already filed O.S.No.324 of 2025 on the file of the Sub Court, Pattukottai in this regard. It is further argued that the suit prayer includes both partition and declaration.

4.The petitioner can very well file an IA in the pending suit and asks for the relief now sought for. The revenue authorities can be made as the respondents in the IA alone without making them as the defendants in the main suit.

5.The learned counsel for the petitioner states that within a week from the date of receipt of a copy of this order such an IA will be filed. The trial Court shall dispose of the IA on merits and in accordance with law within a period of eight weeks thereafter. The third respondent shall not pass any order on the application of the fourth respondent for a period of twelve weeks. It is made clear that grant of this order will not mean that this Court has pronounced on the merits of the respective claims of the writ petitioner and the fourth respondent.



W.P(MD)No.24098 of 2025

WEB COPY

6.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

04.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Revenue Divisional Officer,
Orathanadu,
Thanjavur District.
- 3.The Tahsildar,
Orathanadu Taluk,
Orathanadu,
Thanjavur District.

Copy to

The Sub Court,
Pattukottai.



WEB COPY



W.P(MD)No.24098 of 2025

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.24098 of 2025

04.09.2025