



W.P.(MD)No.30169 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :20.11.2025

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.30169 of 2023
and
WMP (MD) No.26002 of 2023

Nilavalagan

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

2. The Tahsildar,
Ramanathapuram,
Ramanathapuram District.

3. The Village Administrative Officer,
Surankottai Village,
Surankottai,
Ramanathapuram District.

4. Savithiri

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records pertaining to the impugned order passed by the 1st respondent in his impugned order in Pa.Mu.A6/5434/2020 dated 20.10.2023, quash the same as illegal.

For Petitioner : Mr.K.Sridhar

for Mr.Sathiya Singh



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For Respondents :Mr.B.Saravanan
Additional Government Pleader for R1 to R3
Mr.J.Barathan for R4

ORDER

An order dated 20.10.2023 of the first respondent cancelling joint Patta No.1194 in respect of Survey No.215/2A1 is challenged in this writ petition.

2. Learned counsel for the petitioner submits that the impugned order was issued without notice to the petitioner and without providing the petitioner a reasonable opportunity. He points out that a relinquishment deed was executed in favour of the petitioner by four persons, including the fourth respondent herein. He submits further that the joint patta was issued on the basis of the said relinquishment deed. On account of not being provided an opportunity to contest the proceeding, he submits that the petitioner was not in a position to file the relinquishment deed and apprise the Revenue Divisional Officer about material facts and documents. As regards the proceedings initiated by Murugan, learned counsel submits that such proceedings are not binding on the petitioner.



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3. Learned counsel for the fourth respondent made submissions in response. His first contention is that the petitioner had filed a revision petition before the District Revenue Officer, Ramanathapuram on the same date on which the writ petition before this Court was filed. However, he submits that this fact has been suppressed and that the fourth respondent was put on notice by the District Revenue Officer. He also refers to O.S.No.22 of 2020, which was filed by the petitioner against the fourth respondent and Gurusamy seeking partition of the property forming the subject of the impugned order herein. He points out that the suit was dismissed on 31.03.2023, which is prior to the date of institution of this writ petition. In spite of the judgment and decree being prior to the writ petition, he states that it was willfully suppressed. As regards the release/relinquishment deed, he submits that the petitioner exhibited the said document as Exhibit A1 in the suit and that the suit was dismissed after considering such document.

4. The inquiry notice dated 10.01.2024 reveals that a revision petition was lodged by Nilavalagan against order dated 20.10.2023. The reference tallies exactly with the order impugned in this writ petition. As discussed earlier, the petitioner also filed O.S.No.22 of 2020 before the



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Principal District Judge, Ramanathapuram, seeking relief in respect of the property forming the subject of the present proceedings. The dismissal of the suit was also not brought to the notice of this Court. Both on account of the petitioner filing a revision petition before the District Revenue Officer, which is currently pending adjudication, and also on account of suppression of material fact, I am not inclined to exercise discretionary jurisdiction. Therefore, this writ petition is dismissed without any order as to costs. Consequently, connected miscellaneous petition is closed.

20.11.2025

NCC :No
Internet :Yes
Index :No
PKN



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SENTHILKUMAR RAMAMOORTHY, J.

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