



W.P.(MD) No.31100 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.31100 of 2024

and

W.M.P(MD)Nos.26097 and 26100 of 2024

A.Karunamurthy

... Petitioner

VS.

1.The District Collector,
Office of the District Collector,
Sivagangai, Sivagangai District.

2.The District Revenue Officer,
District Revenue Office,
Sivagangai, Sivagangai District.

3.The Revenue Divisional Officer,
Devakottai, Sivagangai,
Sivagangai District.

4.The Tahsildar,
Singampunari Taluk,
Sivagangai District.

5.The Village Administrative Officer,
Singampunari Village,
Sivagangai District.

6.C.Latchmi

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the second respondent vide his proceeding in Pa.Mu.Pil-4398-2020, dated 18.10.2024 quash the same and further direct the second respondent herein to pass order afresh by considering all the documents submitted by the petitioner such as tax receipts, sale deed, acceptance letter issued by the petitioner in favour of the sixth respondent to change the EB connection in her name, etc.

For Petitioner : Mr.A.Mhamed Ashfalk

For Respondents : Mr.C.Satheesh
Government Advocate for R1 to R5

Mr.V.Kannan for R6

ORDER

The petitioner challenges the impugned order of the second respondent in Pa.Mu.Pil-4398-2020, dated 18.10.2024.

2.The petitioner contends that he is the owner of the property, having purchased the same under two unregistered sale deeds dated 25.06.1984. According to the petitioner, the sixth respondent is none else than his brother's wife, who was permitted to occupy the petitioner's property, and taking advantage of the 'No objection' issued by the petitioner for obtaining electricity service



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connection, the sixth respondent has misused the said documents and proceeded to obtain patta in her name. The said contention of the petitioner was disputed by the sixth respondent.

3.The learned counsel for the sixth respondent would bring to my notice that pending this writ petition, the writ petitioner also filed a civil suit in O.S.No. 33 of 2025, which is pending before the Sub Court, Sivagangai. He would therefore submit that the directions in the impugned order being virtually been acted upon by the petitioner, he cannot seek any relief from this Court, that too in this writ petition when factual disputes have arisen between the petitioner and the sixth respondent with regard to the ownership of the subject lands.

4.I find force in the submissions of the learned counsel for the sixth respondent.

5.No doubt, when the writ petition was moved in the year 2024 and on 20.12.2024, this Court, while issuing notice to the sixth respondent, granted an order of interim stay protecting the interest of the writ petitioner. However, even by that time, the patta was mutated in the name of the sixth respondent and today, the substantial reliefs have been sought for by the petitioner before the competent



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6.Considering the above, this Writ Petition is disposed of with a direction to the Sub Court, Sivagangai, to expeditiously take up trial in O.S.No.33 of 2025 after completing the pleadings and ensure that the said suit is disposed of within a period of six months from the date of receipt of a copy of this order, on its own merits. It is made clear that the revenue authority shall continue to maintain the revenue records as on date and shall not carry out any further mutation and it shall be subject only to the final decision of the Sub Court, Sivagangai in O.S.No.33 of 2025. It is needless to state that the observations and findings rendered by the revenue authorities shall not bind the Civil Court in any manner and the Civil Court shall independently decide the issues arising in this suit in O.S.No.33 of 2025. No costs. Consequently, connected miscellaneous petitions are closed.

11.03.2025

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NCC: Yes/No

Index : Yes / No

Internet : Yes / No



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P.B.BALAJI, J.

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