



WEB COPY

WP No. 16017 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 16017 of 2023

and

WMP No.15458 of 2023

1. R.Senthilkumar
2. Mohammed Ibrahim

..Petitioner(s)

Vs

1. The Revenue Divisional Officer / Sub Collector,
Tiruppur, Tiruppur District.
2. Maheswari

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of mandamus, forbearing the 1st Respondent from continuing the enquiry proceeding on the appeal petition submitted by the 2nd Respondent in respect of Survey No.91/1A of Kaniyampoondi Village, Avinashi Taluk, Tiruppur District, during the pendency of Civil Suit in O.S. No. 16 of 2023 on the file of the District Munsif Court, Avinashi, and pass such further or other orders.

For Petitioner(s): Ms.R.Divyapreathika

For Respondent(s): Mr.T.K.Saravanan,
Additional Government Pleader for R1
For R2-Notice served-No appearance

ORDER

This writ petition is filed to forbear the 1st respondent from continuing the enquiry proceeding on the appeal petition submitted by the 2nd Respondent



in respect of Survey No.91/1A situated at Kaniyampoondi Village, Avinashi Taluk, Tiruppur District, during the pendency of Civil Suit in O.S. No. 16 of 2023, on the file of the District Munsif Court, Avinashi, and pass such further or other orders.

2. Learned counsel for the petitioner would submit that the second respondent has filed a civil suit for partition in O.S.No.16 of 2023, which was pending before the District Munsif Court, Avinasi. Pending the said suit, the second respondent filed an appeal before the first respondent to cancel the sub division and for issuance of joint patta for the same survey number, which is the subject matter of aforesaid civil suit. Hence, this writ petition.

3. Learned counsel for the petitioner would further submit that this Court may direct the first respondent not to pass any order on the said appeal, till the said suit attains finality.

4. Learned Additional Government Pleader appearing for the first respondent would submit that, based on the appeal filed by the second respondent, an enquiry was conducted and the same was completed, but no final order was passed, since the suit was pending between the parties, before the Civil Court.



5. Heard the learned counsels on either side and perused the materials available on record.

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6. In such view of the matter, though the enquiry has already been completed, the first respondent is directed not to pass an order in the said appeal, until the final verdict be passed in the pending O.S.No.16 of 2023, on the file of District Munsif Court, Avinashi.

7. With the aforesaid direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. The Revenue Divisional Officer / Sub Collector,
Tiruppur, Tiruppur District.



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KRISHNAN RAMASAMY, J.

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