



W.P.(MD) No.1629 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2026

CORAM

**THE HONOURABLE MR.JUSTICE K.SURENDER**

**W.P.(MD) No.1629 of 2026**

and

**W.P.(MD) No.1300 of 2026**

T.Nachiappan

... Petitioner

Vs.

1.The District Revenue Officer,  
Office of the District Revenue Officer,  
Sivagangai District.

2.The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Devakottai Taluk, Sivagangai District.

3.The Tahsildar,  
Devakottai Taluk,  
Sivagangai District.

4.P.Balasubramanian

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari calling for the records relating to impugned proceedings of the first respondent in Na.Ka.No.B5/12928/2024 dated 06.01.2026 and quashing the same as illegal.



W.P.(MD) No.1629 of 2026

For Petitioner : Mr.V.R.Shanmuganathan  
For R1 to R3 : Mr.P.Subbaraj  
Special Government Pleader

### **ORDER**

This Writ Petition has been filed seeking issuance of a Writ of Certiorari to call for the records relating to the impugned proceedings of the first respondent in Na.Ka.No.B5/12928/2024 dated 06.01.2026 and quash the same as illegal.

2. With the consent of the parties, this Writ Petition is taken up for final disposal at the admission stage itself, dispensing with notice to the fourth respondent, since this Court proposes to pass an order not against the fourth respondent, but directing the first respondent.

3. The learned counsel for the petitioner would submit that the patta was granted in the name of the petitioner; that aggrieved by the same, the fourth respondent filed an appeal before the second respondent on 26.02.2014; that the second respondent dismissed the said appeal on 19.06.2014, relegating the parties to approach the civil court; that the fourth respondent thereafter approached the civil court in O.S.No.114 of



W.P.(MD) No.1629 of 2026

2014; that the Civil Court dismissed the said suit on 13.04.2016; that in accordance with the Act, against any order passed by the second respondent, namely the Revenue Divisional Officer, the appellate authority is the first respondent, viz., the District Revenue Officer; that after the fourth respondent was unsuccessful in the civil suit, the fourth respondent filed an appeal before the first respondent against the order of the second respondent dated 19.06.2014 beyond the statutory period; and that however, the first respondent has taken the said appeal on file and issued the impugned proceedings.

4. The learned Special Government Pleader appearing for the first to third respondents would submit that the impugned proceedings are only an enquiry notice and that the petitioner, instead of appearing before the first respondent and putting forth his contentions, has approached this Court.

5. This Court is of the view that once the Civil Court has decided the rights of the parties, the question of the first respondent, namely the District Revenue Officer, entertaining an appeal against the order of the second respondent, viz., the Revenue Divisional Officer, passed in the



W.P.(MD) No.1629 of 2026

year 2014, may be improper. It is not known as to whether the proceedings of the Civil Court were brought to the notice of the first respondent before the appeal proceedings were taken up. The said aspect of the Civil Court having decided the rights of the parties has to be examined by the first respondent as a preliminary issue and appropriate orders shall be passed before proceeding with the enquiry.

6. With the above observations, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

**[K.SURENDER, J.]**  
22.01.2026

JEN

Index : Yes / No

Neutral Citation : Yes / No

To

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W.P.(MD) No.1629 of 2026

**K.SURENDER, J.**

JEN

W.P.(MD) No.1629 of 2026

22.01.2026