

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Second day of November Two Thousand and Twenty One

PRESENT

WEB COPY

The Hon`ble Mr.Justice SENTHILKUMAR RAMAMOORTHY

WP(MD) No.19746 of 2021

AND

WMP(MD) No.16413 of 2021

R.SENTHAMARAI

... PETITIONER

Vs

1 THE REVENUE DIVISIONAL OFFICER,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

2 THE ZONAL DEPUTY TAHSILDAR
VIRUDHUNAGAR TALUK,
VIRUDHUNAGAR DISTRICT.

3 THE VILLAGE ADMINISTRATIVE OFFICER,
MEASALUR POST, MEASALUR,
VIRUDHUNAGAR DISTRICT.

4 PANDARASAMY

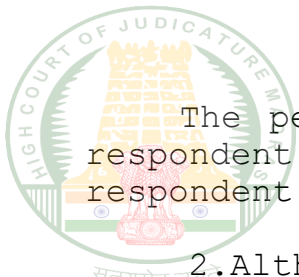
... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings in Pa.Mu.Aa.1/4175/2020 dated 28.09.2021 issued by the 1st respondent and consequential order passed in proceedings TR No.2021/0103/26/130476TR dated 04.10.2021 issued by the 2nd respondent and quash the same and consequently direct the respondents 1 and 2 to restore the original patta by including all joint pattadars.

Prayer in WMP(MD) . 16413/ 2021 :

To grant an order injunction restraining the 4th respondent not to alienate or encumber the scheduled mentioned property pending disposal of the above writ petition.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.ATHIMOOLAPANDIAN, Advocate for the petitioner and of Mr.P.SUBBARAJ, Counsel for the State on behalf of the Respondents No.1 to 3, the court made the following order:-



The petitioner assails an order dated 28.09.2021 of the first respondent and consequential order dated 04.10.2021 of the second respondent.

2. Although there is a statutory remedy by way of a revision, the petitioner contends that the Writ Petition is maintainable because the impugned order dated 28.09.2021 was issued without notice to the legal heirs of the deceased, Thulasi Ammal.

3. In order to avert the creation of third party interest pending adjudication, the fourth respondent is restrained by an order of interim injunction from alienating, encumbering or otherwise disposing of the property which is subject matter of the order dated 04.10.2021 for a period of three (3) weeks.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 to 3.

5. Issue notice to the fourth respondent returnable on 23.11.2021. Private notice is permitted.

6. Let the matter appear on November 23, 2021.

sd/-

02/11/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1 THE REVENUE DIVISIONAL OFFICER,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
- 2 THE ZONAL DEPUTY TAHSILDAR
VIRUDHUNAGAR TALUK,
VIRUDHUNAGAR DISTRICT.
- 3 THE VILLAGE ADMINISTRATIVE OFFICER,
MEASALUR POST, MEASALUR,
VIRUDHUNAGAR DISTRICT.

ORDER IN

WP(MD) No.19746 of 2021

AND

WMP(MD) No.16413 of 2021

Date : 02/11/2021

SA/JM/SAR.4/10.11.2021/2P/4C

<https://hcservices.ecourts.gov.in/hcservices/>