

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE: 03.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

Writ Petition No.18399 of 2009
and
WMP.No.1 of 2009 and 22694 of 2016

1. S.Krishnan
2. Smt.Rani @ Selvarani
3. P.V.Suresh

.. Petitioners

Versus

1. The District Revenue Officer,
Vellore.
2. The Revenue Divisional Officer,
Ranipet, Vellore District
3. The Tahsildar,
Arakkonam, Vellore District.
- 4.The Village Administrative Officer,
Vedal Village & Post,
Arakkonam Taluk, Vellore Dist.
- 5.Navaneethammal (deceased)
- 6.Narasimmalu
(R6 brought on record as Legal
Heir of R5 as per order dated
09.12.2010, in M.P.No.1 of 2010
in W.P.No.18399 of 2009)

.. Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Certiorari, to call for the records of the first respondent in the proceedings Na.Ka.P3.49454 of 2008 dated 20.05.2009, and quash the same.

For Petitioner : Mr.A.Gowthaman

For Respondents : Mr.Jaya Prakash Narayanan
Special Government Pleader (R1 to R4)

O R D E R

The prayer in this Writ Petition is for a Writ of Certiorari to call for the records of the first respondent in the proceedings in Na.Ka.P3.49454 of 2008 dated 20.05.2009, and quash the same.

2. Heard both sides.

3. Though, the prayer sought for in this Writ Petition is for a larger relief, during the hearing, the learned counsel for the petitioner would contend that there were lot of transaction between the parties in respect of the settlement made and the settlement deeds were also executed in the year 2008. The settlement deed is said to be have been executed by the fifth respondent, in favour of the sixth respondent. Therefore, the veracity of the transaction can be decided only before the competent Civil Court and any finding given by the Civil Court will establish the rights of the parties and therefore the issue raised in the writ petition cannot be resolved and hence he prays that suitable direction may be given by this Court.

4. This court considered the submissions made by the respective counsels and perused the materials available on record.

5. Considering the submissions made by both parties, this Court is of the considered view that since rival claims are made for title of the property and there were so many transactions in the year 2008 in respect of the subject land, title and other issues, the rights of the parties can only be decided by the competent Civil Court. Therefore, this Writ Petition is dismissed giving liberty to the parties to approach the concerned Civil Court to establish their civil rights, in the manner known to law. No costs. Consequently, connected Miscellaneous Petition are closed.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

arr

To

1. The District Revenue Officer,
Vellore.
2. The Revenue Divisional Officer,
Ranipet, Vellore District
3. The Tahsildar,
Arakkonam, Vellore District.

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4.The Village Administrative Officer,
Vedal Village & Post,
Arakkonam Taluk, Vellore Dist.

+1 cc to MR.A.GOUTHAMAN Advocate SR.NO. 62781,

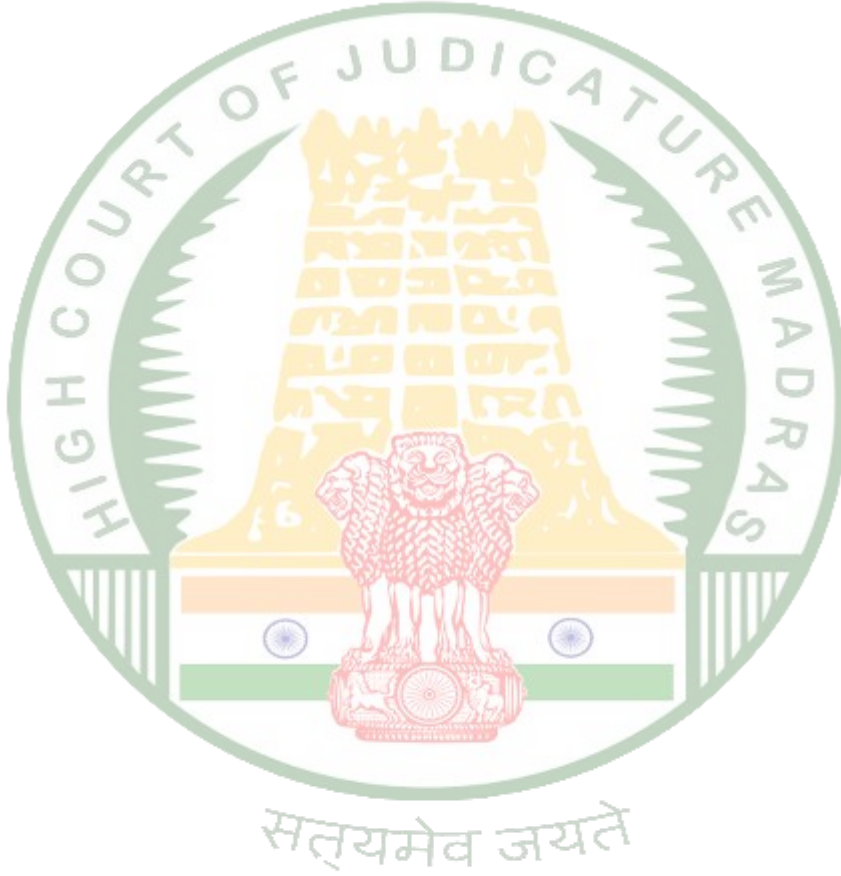
+1 cc Government pleader SR.NO. 62853

+1 cc to Vijayalakshmi k.Rajaratnam Advocate SR.NO. 62992

Writ Petition No.18399 of 2009

mg[co]

RD 09/12/2016



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