



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.12.2019
CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. (MD) No.15363 of 2015

WEB COPY

Sebastian

... Petitioner

vs.

The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to restore the revenue records in the name of the petitioner in respect of property comprised in S.No.1452/2, Vilpatty Village, Kodaikanal Taluk, Dindigul District.

For Petitioner	: Mr.K.Govindadrajan
For Respondent	: Mr.A.Thiyagarajan Government Advocate

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus to direct the respondent to restore the revenue records in the name of the petitioner in respect of property comprised in S.No.1452/2, Vilpatty Village, Kodaikanal Taluk, Dindigul District.

2.It is the case of the petitioner that he is the owner of the property to an extent of 3 acres 26 cents in S.No.1452/2, Vilpatty Village, Kodaikanal Taluk, Dindigul District, by a registered sale deed, dated 03.06.1988. It is stated that the petitioner's name was transferred in revenue records and patta was also issued vide patta No.4022. It is further stated that his name was removed from the revenue records without his knowledge and that therefore, he has given a representation to the respondent to include his name in the patta and to delete the names of third parties.

3.It is to be seen that a representation was given to the learned District Judge, Dindigul. In the representation before the learned District Judge, Dindigul, the petitioner has requested the learned District Judge, Dindigul, to take criminal action against those who are indulged in forgery and cheating. He has given all names, against whom action should be taken. The petitioner has stated that he has also filed a suit in O.S.No.108 of 2014 on the file of the District Munsif Court, Kodaikanal. However, it is



stated that the suit was filed only to set aside the judgment and decree of another suit.

4.Having regard to the admitted facts that there is a dispute with regard to the holdings and the fact that change of revenue records was on the basis of Civil Court decision, which is now challenged by the petitioner in the subsequent suit, this Court is not inclined to entertain this Writ Petition to direct the respondent to restore the revenue records. Further, the petitioner has not impleaded any other individuals, who has a rival claim to the property.

5.In such circumstances, this Writ Petition is dismissed with liberty to the petitioner to pursue his suit. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

cmr

To

The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

+1 CC to Mr.K.GOVINDARAJAN, Advocate (SR-104935[F] dated 13/12/2019)
+1 CC to SPL GP (SR-105085[F] dated 16/12/2019)

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MK (03.01.2020) 2P 4C