



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

**W.P. (MD)No.7592 of 2020**

**and**

**W.M.P. (MD)No.7085 of 2020**

WEB COPY

N.Arumugam

... Petitioner

Vs

1.The Revenue Divisional Officer,  
Kulithalai,  
Karur District.

2.The Zonal Manager,  
State Bank of India,  
No.7, Mettanus Road,  
Trichy - 620 001,  
Trichy District.

3.The Senior Manager,  
State Bank of India,  
Kulithalai Branch,  
Kulithalai,  
Karur District.

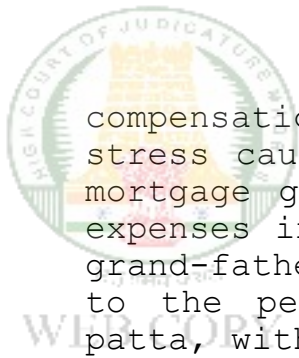
4.The Inspector of Police,  
District Crime Branch,  
District Police Office,  
Karur, Karur District.

5. The Sub Registrar,  
Registration Department,  
Nangavaram,  
Kulithalai Taluk,  
Karur District.

6.N.Rengaraj

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the the second and third respondents to consider the petitioner's representation dated 10.01.2020 and the order No.Pa.Mu.A1/6126/2017 dated 11.06.2019 passed by the first Respondent and release the petitioner's lands viz. 0.11.00 ha. in survey No.166/5 0.18.00 ha. in survey No.230/1, 0.27.00 ha in survey No.230/5 and 0.15.00 ha in survey No.231/3 in Seppalappatti Village, Kulithalai Taluk, Karur District from the Mortgage created by the sixth Respondent-Rengaraj, S/o. Nallusamy in Doc No.127/2006 dated 06.03.2006 registered at the fifth respondent-Sub Registrar Office, Nangavaram and pay



compensation of Rs.20,00,000/- towards the mental agony and physical stress caused to the petitioner, due to the illegal and fraudulent mortgage got by the third respondent and Rs.10,00,000/-towards the expenses incurred to get back the patta in the name of petitioner's grand-father V.Dharmalingam Chettiar and the loss of income accrued to the petitioner during the period spent for getting back new patta, within a time limit to be fixed by this Court.

For Petitioner : Mr.K.Seemaraj

**ORDER**

Heard the learned counsel appearing for the petitioner.

2. The petitioner's grievance is that the petition mentioned land belong to him. He alleges that the sixth respondent herein had created forged documents and on that basis encumbered the same. It appears that the third respondent had also advanced loan on the basis of the forged documents. The petitioner brought the same to the notice of the respondents Bank, vide his representation, dated 10.01.2020. The petitioner now wants this Court to direct the respondents Bank, viz., respondents 2 and 3 to consider the said representation and also release the petition mentioned land. He is also seeking payment of compensation.

3. I am afraid that such a relief cannot be granted in writ jurisdiction. The remedy open to the writ petitioner lies elsewhere. The petitioner has not obtained any Civil Court decree for declaring the documents referred by him as fabricated and forged. In any event, the petitioner cannot ask for compensation against the respondents Bank, in these proceedings. The Writ Petition is not maintainable. Therefore, the Writ Petition stands dismissed.

4. I make it clear that the rights of the petitioner to claim compensation and to work out his remedy elsewhere are left open. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

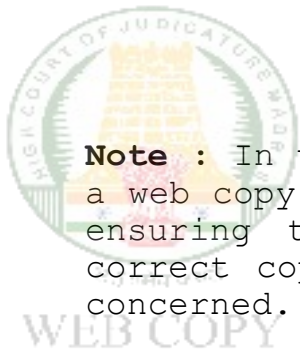
Assistant Registrar (AD-II)

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/ /2020

Sub Assistant Registrar(CS)

Ls



**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,  
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