



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11341 of 2021

Ganesan

... Petitioner

Vs.

1.The District Collector,
Karur, Karur District.

2.The District Revenue Officer,
Karur, Karur District.

3.The Sub Collector /
Revenue Divisional Officer,
Kulithalai, Karur District.

4.The Thasildar,
Kulithalai Taluk,
Karur District.

5.The Sub Registrar,
Parisalthurai Road,
Periyapalam, Kulithalai,
Karur District.

6.Gurumoorthi
7.Vairaperumal
8.Shanmugam
9.Kulanthaivelu
10.Kamatchi
11.Idumban
12.Manikkam
13.Aanandhi
14.Palaniyandi
15.Rajasekar
16.Vivek

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 5th respondent to put notice on the petitioner on the basis of his protest petition, dated 25.02.2021, which has been filed with regard to registration of any documents by the respondents 6 to 16 for his ancestral properties bearing Survey Nos.408/4, 432/6A, 454/1, 455/12A, 455/20, 456/5, 457/1A2, 458/1B2A, 458/1B2C, 461/1A2A, 461/1A2C, 461/1A2F, 462/1B, 465/11F, 465/11L, 465/123, 465/14, 467/231, 468/1A14, 468/1A15A, 468/1A15H, 469/2P, 475/2, 476/22, 678/2I, 687/8, 775/2B, 776/1 in Patta Nos.3330, 3331, 3329, 3149, 1959, 2243, 424, 1960, 2949, 2241, 1790, 3302, 3327, 3328, 3332, 1750, 2237, 2231, 2039,



3150 situated at Vaikainallur South Village, Kulithalai Taluk, Karur District.

For Petitioner : Mr.R.Murugappan
For Respondents : Mr.M.Lingadurai,
Government Advocate
For R1 to R5

WEB COPY

ORDER

This writ petition has been filed for the issue of a writ of Mandamus directing the 5th respondent to consider the protest petition filed by the petitioner, on 25.02.2021, before proceeding further to register the documents pertaining to the subject properties, that are presented by the respondents 6 to 16.

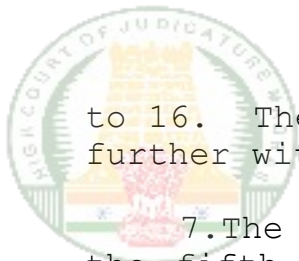
2.The case of the petitioner is that the subject properties were originally owned by his grandfather. Thereafter, it devolved upon the father of the petitioner. Patta was also stood in the name of his grandfather in patta No.1962. The further case of the petitioner is that he had approached the fourth respondent for including his name in the patta after the demise of his father, on 05.12.1970. At which point of time, the petitioner was informed that the patta has already been granted in the name of the respondents 6 to 16.

3.The petitioner made a representation in this regard and since the same was not considered, two writ petitions were filed before this Court in W.P.(MD).Nos.2312 of 2021 and 1816 of 2021 and these writ petitions are pending.

4.The grievance of the petitioner is that the respondents 6 to 16, based on the patta given in their favour are attempted to alienate the properties and hence, the petitioner has submitted a protest petition before the fifth respondent, on 25.02.2021. According to the petitioner, this protest petition is not being considered and steps are being taken by the private respondents to alienate the properties. Left with no other option, the present writ petition has been filed before this Court, seeking for appropriate directions.

5.Heard Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Counsel, appearing for the respondent 1 to 5.

6.Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the fifth respondent to consider the protest petition filed by the petitioner, on 25.02.2021, before registering any document pertaining to the subject properties by respondents 6



to 16. The fifth respondent shall take a decision before proceeding further with the registration of the documents.

7.The petitioner is directed to make a fresh representation to the fifth respondent along with all relevant documents and also a copy of this order.

8.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 District Collector,
Karur, Karur District.
- 2.The District Revenue Officer,
Karur, Karur District.
- 3.The Sub Collector /
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- 4.The Thasildar,
Kulithalai Taluk,
Karur District.
- 5.The Sub Registrar,
Parisalthurai Road,
Periyapalam, Kulithalai,
Karur District.

+1 CC to M/s.SPL GP (SR-21955[F] dated 09/07/2021)

W.P. (MD) .No.11341 of 2021

08.07.2021

LS (CO)

LR (15.07.2021) 3P 7C

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