



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P (MD)NO.7298 of 2015

R.Ponnusamy ...Petitioner
...vs.
1.The Tahsildar, Thiruverumbur Taluk,
Trichy District.
2.Sivasangu
3.Mahamuni ...Respondents
4.T.Rajendran ...Fourth respondent/Newly impleaded
respondent

(R4 impleaded as per order of this Court made in
M.P(MD)No.1 of 2015 in W.P(MD)No.7298 of 2015,
dated 26.04.2021)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to complete the change of Patta Proceedings in Na.Ka.A2/799/2012 in respect of 60 cents in Survey No.211/2010 at Asoor Village, Thiruverumbur Taluk, Trichy District and consequently to issue patta in his name in respect of the said property within the period stipulated by this Court.

For Petitioner	:Mr.A.Haja Mohideen
For Respondent-1	:Mr.K.P.Narayanakumar Spl. Govt.Pleader
For Respondent-4 (Newly impleaded)	:Mr.C.K.M.Appaji

O R D E R

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to complete the patta proceedings within the time prescribed by this Court and to issue patta in the name of the Petitioner.

2.The impleading Petition has been filed by the brother of the vendor of the Petitioner and a stand has been taken to the effect that the subject property in S.No.222/10 at Asoor Village jointly belongs to the impleaded fourth respondent and his brother and the brother of the fourth respondent has sold the entire property in favour of the Petitioner. Therefore, the fourth respondent opposed



the grant of patta in the name of the Petitioner.

3.In the considered view of this Court, the patta proceedings had been initiated in the year 2012 and it is almost ten years since the proceedings are pending before the first respondent. Going by the nature of the dispute that has been raised by the impleaded fourth respondent, it will be more appropriate for the parties to agitate their rights before the competent Civil Court. The first respondent cannot decide on the right and title over the subject property and it will be a wasteful exercise, if this Court directs the first respondent to continue further with the proceedings. It will only further delay the process of issuance of patta.

4.In view of the above, liberty is granted to the Petitioner to work out his remedy before the competent Civil Court and based on the result of the Civil Court proceedings, the Petitioner can approach the Revenue Authorities seeking for mutation of revenue records.

5.This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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:

The Tahsildar,
Thiruverumbur Taluk,
Trichy District.

+1 CC to M/s.SPL GP (SR-17744[F] dated 27/04/2021)

ORDER MADE IN

W.P(MD)No.7298 of 2015

26.04.2021

RP (24.05.2021) P 3C