



WEB COPY



W.P.No.7448 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7448 of 2014

And

W.M.P.No.29568 of 2017 and M.P.No.1 of 2014

1.Indian Bank

Asset Recovery Management Branch,
31, Variety Hall Road,
Coimbatore 641 001
Rep. by its Chief Manager

2.S.Sarbudeen

... Petitioners

Vs.

1.The Asst. Commissioner of Land Reforms,
Erode.

2.The Zonal Tahsildar,
Thiruppur,
Thiruppur District.

3.K.Karunakaran

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to transfer the name of the second petitioner in the revenue records particularly in the Patta Register over the property described in the schedule herewith.



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For Petitioners : Mr.F.B.Benjamin George

For Respondents : Mr.U.Baranidharan for R1 and R2
Additional Government Pleader
R3 – Tapal Returned Vacated

ORDER

The petitioners have filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 and 2 to transfer the name of the second petitioner in the revenue records particularly in the Patta Register.

2.The learned counsel appearing for the petitioner submitted that the second petitioner purchased the disputed property from the first petitioner through SARFAESI proceedings and the second petitioner is entitled for mutation of revenue records. Hence, this Court may issue direction to the respondents 1 and 2 to mutate the revenue records in favour of the second petitioner.

3.Perusal of records disclose that originally the disputed property was assigned in favour of one Arumugam Son of Muruga Pannadi of Tiruppur on 14.08.1974 and he alienated the property before the monetary period of 15 years and that too in favour of non-



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depressed class. Hence, the assignment in favour of the said Arumugam was cancelled on 23.05.2007. The petitioners without challenging the said cancellation order have filed this writ petition, which is not sustainable one.

4.In view of the above, the relief sought for in this writ petition cannot be granted. The writ petition is dismissed. However, liberty is granted to the petitioners to work out the remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petitions are closed.

17.11.2022

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

- 1.The Asst. Commissioner of Land Reforms,
Erode.
- 2.The Zonal Tahsildar,
Thiruppur,
Thiruppur District.



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