



W.P.No.23999 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.23999 of 2021

B. Krishnamoorthy

... Petitioner

vs.

1. The District Revenue Officer,
Office of the DRO,
Udhagamandalam,
Nilgiris District.
2. The Revenue Divisional Officer,
Office of the RDO,
Coonoor, Nilgiris District.
3. Tashildar,
Taluk Office,
Coonoor, Nilgiris District.
4. The Zonal Deputy Tashildar,
Taluk Office,
Coonoor, Nilgiris District.
5. Y.S.Chitra
6. Nandini Ravikumar



W.P.No.23999 of 2021

7. Jayanthi Murthy

8. S.N.Raju

9. The Managing Director,
CASA QUATRO Private Ltd,
First Floor, 42-A, Impression House,
GD Ambedkar Marg, Wadia,
Mumbai – 400 031.

10. ISPRAVA LUXURY REALTY ONE LLP,
First Floor, 42-A, Impression House,
GD Ambedkar Marg, Wadia,
Mumbai – 400 031.

11. Darshan Ramnik Shaw

12. M.Ravi Murugaiah

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records connected with the first respondent's impugned order in the proceedings No.Se.Mu.Aa.No/U5/3815/2014 dated 25.04.2018 and quash the same and to consequently direct the respondent Nos.2 to 3 to remove the 9th respondent's name in the Joint Patta in respect of S.F.Nos.181/10 (Patta No.1182) and 182/4 (Patta No.1545) and any other subsequent entires and to subsequently include the petitioner's name in respect of the land comprised in SF.Nos.181/10 (Patta No.1182) and 182/4 (Patta No.1545) Yedapalli Village, Coonoor Taluk, Nilgiris District measuring 34 cents (actual 31cents).

For Petitioner : Mr.N.Shanmuga Thayumanavan



W.P.No.23999 of 2021

For R1 to R4 : Mr.U.Bharanidharan
Additional Government Pleader

For R5 to R8 : M/s.C.Vidhusan

For R9 to R11 : M/s.M.Rajasekhar

For R12 : M/s.S.Anitha

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to quash the proceedings of the first respondent dated 25.04.2018 and to consequently direct the respondent Nos.2 to 3 to remove the 9th respondent's name in the Joint Patta in respect of S.F.Nos.181/10 (Patta No.1182) and 182/4 (Patta No.1545) and any other subsequent entires and to subsequently include the petitioner's name in respect of the land comprised in SF.Nos.181/10 (Patta No.1182) and 182/4 (Patta No.1545) situated in Yedapalli Village, Coonoor Taluk, Nilgiris District measuring 34 cents (actual 31cents).

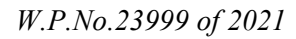
2. It is the case of the petitioner that the petitioner and his family members inherited the above said property from his father namely



W.P.No.23999 of 2021

M.Beeman. Thereafter, the eighth respondent colluding with some third parties sold the above said properties vide sale deed dated 24.08.1998 in favour of the eighth respondent and Patta was also issued in his favour. Thereafter, the fourth respondent vide proceedings dated 30.06.2005 ordered to include the names of legal heirs of said Beeman in the Patta. After several appeal proceedings preferred by the eighth respondent, the first respondent vide order dated 25.04.2018, ordered to remove the names of legal heirs of said M.Beeman. Challenging the same, the present Writ Petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the petitioner for the very same dispute, filed a suit in O.S.No.9 of 2022 which is pending on the file of District Munsif Court, Coonoor. However, at the time of arguments, he submitted that the issue involved in the present case pertains to disputed questions of facts and is purely a civil dispute between the petitioner and the private respondents and the same cannot be entertained under Article 226 of the Constitution of India. Hence, he sought permission of this Court to canvass all his grievances before the competent Civil Court



<https://www.mhc.tn.gov.in/judis>



W.P.No.23999 of 2021

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W.P.No.23999 of 2021

M.DHANDAPANI, J.

RAP

W.P.No.23999 of 2021

22.09.2022



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W.P.No.23999 of 2021