



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.27814 of 2021

and

W.M.P.Nos.29381 and 29383 of 2021

K.Shanmugasundaram

...Petitioner

-Vs-

1. The District Collector,
Coimbatore District,
Coimbatore-641 018.
2. The District Revenue Officer,
Coimbatore District,
Coimbatore-641 018.
3. The Revenue Divisional Officer,
Coimbatore South Division,
Coimbatore-641 018.
4. The Tahsildar,
Sulur Taluk, Coimbatore-641 402.
5. The Executive Officer,
Thiruvankadanatha Perumal Temple,
Sulur, Coimbatore District-641 402.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the entire records in pursuant to the notice dated 21.09.2021 issued by the fourth respondent in respect of the property comprised in Survey No.354, Kannampalayam Village, Sulur Taluk, Coimbatore District having extent of 6.76 acres and quash the same.

For Petitioner : Mr.T.P.Prabakaran for
Mr.N.Sankara Sabari

For R1 to R4 : Mr.V.Jeevagiridharan
Additional Government Pleader



ORDER

This Writ Petition has been filed for the issuance of Writ of Certiorari, calling for the entire records in pursuant to the notice dated 21.09.2021 issued by the fourth respondent in respect of the property comprised in Survey No.354, Kannampalayam Village, Sulur Taluk, Coimbatore District having extent of 6.76 acres and quash the same.

2.Heard Mr.T.P.Prabakaran, learned counsel appearing for the petitioner and Mr.V.Jeevagiridharan, learned Additional Government Pleader appearing for the respondents 1 to 4.

3.The case of the petitioner is that he purchased the property comprised in Survey No.354, ad-measuring 6.76 acres, situated at Kannampalayam Village, Sulur Taluk, Coimbatore District, by the registered sale deed, dated 03.04.2022, registered vide Document No.3810 of 2002 from one K.G.Kumarasamy who was a general power agent of one S.S.Venkataraman. However, on receipt of the representation from the fifth respondent, the fourth respondent affixed notice stating that the land comprised in Ka.Sa.354, ad-measuring 6.76 acres belong to the fifth respondent and sought for change of patta in favour of the fifth respondent and if there is any objections, it should be made before the third respondent. On receipt of the said notice, the petitioner made detailed objections before the third respondent on 28.09.2021.

4.Considering the above, the third respondent is directed to conduct an enquiry, after giving an opportunity of hearing to the petitioner and the counter parties if any, pass orders on merits on the request made by the fifth respondent herein, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Coimbatore District,
Coimbatore-641 018.
2. The District Revenue Officer,
Coimbatore District,
Coimbatore-641 018.
3. The Revenue Divisional Officer,
Coimbatore South Division,
Coimbatore-641 018.
4. The Tahsildar,
Sulur Taluk, Coimbatore-641 402.
5. The Executive Officer,
Thiruvankadanatha Perumal Temple,
Sulur, Coimbatore District-641 402.

+1cc to Mr.N.Sankara Sabari, Advocate, S.R.No.366

+1cc to the Government Pleader, S.R.No.634

W.P.No.27814 of 2021
and

W.M.P.Nos.29381 and 29383 of 2021

SRA (CO)
RGA (24/01/2022)