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W.P.No.28371 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.28371 of 2022

And

W.M.P.Nos.27677 and 27678 of 2022

S.K.Lenin

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Revenue Divisional Officer,
Harur Division,
Dharmapuri District.

3.The Tahsildar
Harur Taluk,
Dharmapuri District.

4.Singaravelu

5.Deepika

6.Perumal

7.Vasanthi

8.Gulabi Jan

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus to call for the records relating



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to the transfer of patta proceedings dated 22.12.2021 in T.R.No.2021/ 0103/05/162482TR passed by the third respondent and to quash the same and consequently direct the third respondent to restore the Patta as per the UDR in Patta No.169 in respect of the properties comprised in S.No.58/1 measuring to an extent of 1.37.0 hectares (3 acres 38 cents) attached with 600 square feet of Terrace house with electricity service connection and S.No.59/1 measuring to an extent of 2.09.9 hectares (5.13 acres) attached with well and electricity service connection situated at Keelanur Village, Harur Taluk, Dharmapuri District.

For Petitioner : Mr.S.Angamuthu
For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records relating to the transfer of patta proceedings dated 22.12.2021 in T.R.No.2021/ 0103/05/162482TR passed by the third respondent and to quash the same and consequently direct the third respondent to restore the Patta as per the UDR in Patta No.169 in respect of the properties



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comprised

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in S.No.58/1 measuring to an extent of 1.37.0 hectares (3 acres 38 cents) attached with 600 square feet of Terrace house with electricity service connection and S.No.59/1 measuring to an extent of 2.09.9 hectares (5.13 acres) attached with well and electricity service connection situated at Keelanur Village, Harur Taluk, Dharmapuri District.

2.The case of the petitioner is that the subject property is the petitioner's ancestral property, however, patta was issued in favour of the private respondents. Hence, the petitioner made representation to the official respondents for cancellation of patta and since the same was not considered, has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that for the very same dispute, the petitioner has already filed O.S.No.2 of 2021 before the District Munsif Court, Harur, for declaration of title and permanent injunction and the same is pending. Hence, this Court may grant liberty to the petitioner to make fresh application before the Revenue Officials, if he succeeds in



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the suit in O.S.No.2 of 2021 pending before the District Munsif Court,
Harur.

4.In view of the above, this writ petition stands disposed of with liberty to the petitioner to make fresh application before the Revenue Officials after disposal of the suit in O.S.No.2 of 2021 pending before the District Munsif Court, Harur. No costs. Consequently, the connected miscellaneous petitions are closed.

31.10.2022

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Revenue Divisional Officer,
Harur Division,
Dharmapuri District.
- 3.The Tahsildar
Harur Taluk,
Dharmapuri District.

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M.DHANDAPANI,J.
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