



W.P.No.31118 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2022

CORAM
THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.31118 of 2022

Vishnurankumar

... Petitioner

Vs

1.The Sub Collector,
Pollachi,
Coimbatore District.

2.The Tahsildar,
Anaimalai Taluk, Coimbatore District.

3.The Village Administrative Officer,
S.Nallur Village, Chellapampalayam,
Udumalpet Taluk, Tiruppur District.

4.Selvapriya

5.Devakrishnakumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 01.03.2022 objecting to grant of patta in the name of respondents 4 and 5 with respect of petitioner's lands in S.F.Nos.306/1, 306/2 and 307/1 in Nallur Village of Anaimalai Taluk and in S.F.No.396/5A1A in Arthanaripalayam of Anaimalai Taluk in Coimbatore



W.P.No.31118 of 2022

District.

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For Petitioner : Mr.M.Ponraj

For Respondents : Mr.U.Bharanidharan
Additional Government Pleader

ORDER

The petitioner has filed this petition to direct the respondents 1 to 3 to consider the petitioner's representation dated 01.03.2022 objecting to grant of patta in the name of respondents 4 and 5 with respect of petitioner's lands in S.F.Nos.306/1, 306/2 and 307/1 in Nallur Village of Anamalai Taluk and in S.F.No.396/5A1A in Arthanaripalayam of Anamalai Taluk in Coimbatore District.

2.Since, no adverse order is being passed as against the respondents 4 and 5, notice to the respondents 4 and 5 are dispensed with.

3.The case of the petitioner is that the petitioner is the owner of the property in petitioner's lands in S.F.Nos.306/1, 306/2 and 307/1 in Nallur Village of Anamalai Taluk and in S.F.No.396/5A1A in Arthanaripalayam of Anamalai Taluk in Coimbatore District, by way of Settlement Deed



W.P.No.31118 of 2022

registered as Doc.No.2068 of 2017 before the SRO, Komangalam.

However, the respondents 4 and 5 made effective steps to mutate the Revenue Records in favour of them. Therefore, the petitioner filed a suit in O.S.No.112 of 2021 for injunction as against the private respondents, on the file of the Principal District Munsif Court, Pollachi and obtained an order of interim injunction against the private respondents. objecting the mutation of revenue records, the petitioner made a representation on 01.03.2022 to the respondents 1 to 3, whereas, the same was considered. Hence, the petitioner has filed the present Writ Petition.

4.The learned counsel for the petitioners submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 01.03.2022 and pass orders on the same within a particular time frame fixed by this Court.

5.Mr.U.Bharanidharan, learned Additional Government Pleader for the respondents submits that if any direction is given by this Court, the same will be complied with.

6.Heard the learned counsel for the petitioner and the learned



W.P.No.31118 of 2022

Additional Government Pleader appearing for the respondents and perused the materials available on record.

7. Though the petitioner claim that the 4th respondent gave an application to mutate the Revenue Records in respect of the aforesaid survey numbers, however, no proof was filed before this for issuing such direction to the respondent after hearing the petitioner and pass appropriate orders. In the absence of any records to show that the 4th respondent has made an application for mutation of Revenue Records, no direction can be issued. Therefore, the prayer sought for in this Writ Petition cannot be granted. However, liberty is granted to the petitioner to workout his remedy in the manner known to law before the appropriate Civil Court.

8. This Writ Petition is accordingly dismissed. No costs.

22.11.2022

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

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W.P.No.31118 of 2022

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W.P.No.31118 of 2022

M.DHANDAPANI,J.

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W.P.No.31118 of 2022



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W.P.No.31118 of 2022

22.11.2022