

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.13634 of 2013

and

M.P.(MD) Nos.1 to 3 of 2013

M.Ramasamy

... Petitioner

-VS-

1. The District Collector,
Karur District,
Karur.

2. The Thasildar,
Thasildar Office,
Karur,
Karur District.

3. R.Vengalayee @ Karuppayee

4. V.K.Rajendran

5. K.Raviraja

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the second respondent, dated 25.02.2013 in the patta passbook number 4205 and quash the same

consequently direct the second respondent herein remove the name of the third respondent and restore the original patta issued in the name of the petitioner in Patta No.3980.

For Petitioner	: Mr.P.Athimoolapandian
For R1 & R2	: Mr.Lingadurai Special Government Pleader
For R3 to R5	: No Appearance

ORDER

The present writ petition has been filed challenging the inclusion of the name of the third respondent in the joint patta along with the writ petitioner. Originally, the writ petitioner was granted a separate patta in Patta No.3980. However, without notice to the writ petitioner, the name of the third respondent was incorporated for the said survey number and fresh joint patta was issued in Patta No.4205. The said order is under challenge in the present writ petition.

2. The learned counsel for the petitioner submits that pending writ petition, there was a decree for partition granting a share in favour of the third respondent herein. The said decree for partition was confirmed by this

Court in A.S.No.448 of 2001, on 04.06.2015. Hence, it is clear that the third respondent has got a share in the survey number in dispute.

3. In view of the above said facts, this Court cannot interfere in the joint patta. After final decree proceedings, depending upon the allotment, the parties are at liberty to approach the Revenue Authorities for mutation of revenue records.

4. With the above said observation, this Writ Petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

21 .09.2022

Index : Yes / No
Internet : Yes / No

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To

1. The District Collector,
Karur District, Karur.
2. The Thasildar,
Thasildar Office,
Karur, Karur District.

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R.VIJAYAKUMAR,J.

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