



W.P(MD)No.10863 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10863 of 2022

K.L.Subramanian

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Madurai.

2.The District Revenue Officer,
District Collectorate,
Madurai,
Madurai District.

3.The Revenue Divisional Officer,
Melur Division,
Narasingampatti,
Madurai District.

4.The Thasildhar,
Madurai East Taluk,
Madurai District.

5.Dhaya Cyber Park Private Limited,
D.No.25, Sathya Sai Nagar,
Madurai – 625 003.

... Respondents

*(R5 is suo motu impleaded vide order dated
24.06.2022 in W.P.(MD)No.10863 of 2022
by GRSJ)*



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 4th respondent herein to given effect to the orders passed by the 3rd respondent herein on 14.03.2022 and mutate the revenue patta in favour of the writ petitioner with respect to the subject properties herein in Survey Nos.74/1, 92/3, 92/4A, 130/9A, 73/3, 75/1A, 74/5B, 43/9, 43/11 at Uthangudi Village, Madurai East Taluk, Madurai District to an extent of 2.65 acres in the light of the orders passed by this Court in W.P.(MD)No.9036 of 2021 within the time frame fixed by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.N.Ramesh Arumugam,
Govt. Advocate for R1 to R4
Mr.Pala Ramasamy for R5

ORDER

Heard the learned counsel on either side.

2.The petitioner wants the order dated 14.03.2022 issued by the Revenue Divisional Officer, Narasingampatti to be implemented. I went through the contents of the said memorandum. It is a mere call to the Tahsildar to implement the order dated 30.04.2022 made in W.P.(MD)No.9036 of 2021. The said writ petition was filed only by the present petitioner herein. Paragraph No.7 of the said order is as follows:-



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“7.Taking into consideration the facts and circumstances of this case and the limited relief sought for in this writ petition, there shall be a direction to the fourth respondent to consider the representation made by the petitioner, on 26.02.2021 and deal with the same strictly in accordance with the earlier orders passed by the second and third respondents and pass the consequential orders, within a period of four weeks from the date of receipt of a copy of this order. The fourth respondent need not conduct any enquiry in this case and the fourth respondent has been merely directed to implement the orders passed by the second respondent. Therefore, the fourth respondent must restore the patta to its original position. If at all, the subsequent purchasers have any claim over the property, they can only go and agitate their claim before the competent Civil Court for the simple reason that they are also bound by the order passed by the second respondent, wherein, the revision was filed by the vendor of the subsequent purchasers.”

3. There is no dispute that the properties purchased by the writ petitioner as well the fifth respondent herein originally belonged to a trust. It appears that there is an overlapping atleast in one of the items purchased by the parties. In W.P.(MD)No.9036 of 2021, the direction that has been given is that the patta must be restored to its original position. That means it should reflect in the name of the trust. The learned Government Advocate for the respondents 1 to 4 categorically submits before this Court that restoration of the original position has already been effected. The writ petitioner as well as the fifth respondent are subsequent purchasers. If they have any *inter se* dispute, they have to



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necessarily workout their rights before the jurisdictional civil Court. No further order is necessary in this writ petition.

4.The writ petition is disposed of accordingly. No costs.

12.07.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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