



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.1747 & 21357 of 2017

and

W.M.P.(MD)Nos.1432, 1433 & 17643 of 2017

WEB COPY

In W.P.(MD)No.1747 of 2017

Ramamoorthy

... Petitioner

Vs.

- 1.The District Revenue Officer,
Thanjavur Taluk & Post,
Thanjavur District.
- 2.The Revenue Divisional Officer,
Pattukkottai Post & Taluk,
Thanjavur District.
- 3.The Tahsildar,
Peravoorani Taluk,
Thanjavur District.
- 4.Suresh Kumar

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the orders of the first respondent passed in Ta.Pa.Vu(2)/66/2015, dated 15.10.2016 and quash the same as arbitrary and illegal consequently direct the first respondent to issue patta for S.F.Nos.240/3, 240/5, 241, 236/7, 240/2, 240/4 of Thiruvathevan Village, Peravoorani Taluk, Thanjavur District in the name of the petitioner.

In W.P.(MD)No.21357 of 2017

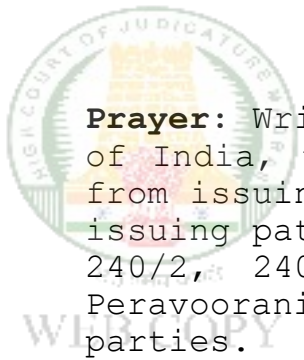
Ramamoorthy

... Petitioner

Vs.

- 1.The District Revenue Officer,
Thanjavur Taluk & Post,
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- 2.The Revenue Divisional Officer,
Pattukkottai Post & Taluk,
Thanjavur District.
- 3.The Tahsildar,
Peravoorani Taluk,
Thanjavur District.

... Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to forbear the respondents from issuing patt and assignment in respect of the respondents from issuing patta and assignment in respect of Survey Nos.236/7, 240/1, 240/2, 240/4, 240/3, 240/5 and 241 of Thiruvathevan Village, Peravoorani Taluk, Thanjavur District in favour of the third parties.

For Petitioner : Mr.R.Paranjothi
for Mr.K.Baalasundharam
For R1 to R3 : Mr.M.Prakash
Additional Government Pleader
(in both the writ petitions)

COMMON ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for R1 to R3.

2. Though the fourth respondent has been served and his name is printed in the cause list, he has not chosen to enter appearance.

3. The grievance of the petitioner is that his name was erroneously removed from the revenue record at the instance of the fourth respondent. Though the Tahsildhar originally ordered in favour of the petitioner, at the instance of the fourth respondent, the Revenue Divisional Officer set aside the same. When the petitioner preferred the revision before the District Revenue Officer, Dindigul, the order passed by the Revenue Divisional Officer was confirmed. Questioning the same, this writ petition came to be filed.

4. When the matter was taken up for hearing, the learned Additional Government Pleader produced the copy of the extract of 'A' register. It could be seen therefrom that the property in question originally stood in the name of "சுப்பம்மாள் சத்திரம் நிர்வாகி". From the said extract, one can come to the conclusion that the property stood in the name of a Trust. The petitioner would claim that it is a private trust.

5. In these writ proceedings, such factual issues cannot be gone into. The petitioner has to necessarily establish his claim only before the jurisdictional civil Court. Leaving open the rights of the petitioner, these Writ Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T & P)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)



1.The District Revenue Officer,
Thanjavur Taluk & Post,
Thanjavur District.

2.The Revenue Divisional Officer,
Pattukkottai Post & Taluk,
Thanjavur District.

3.The Tahsildar,
Peravoorani Taluk,
Thanjavur District.

+1 CC to M/s.K. BAALASUNDHARAM, Advocate (SR-26615[F] dated 17/06/2022)

+1 CC to M/s.SPL.GP (SR-27164[F] dated 21/06/2022)

W.P.(MD)Nos.1747 & 21357 of 2017

and

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= SS/04/07/2022/ 3P 6C