



W.P.No.5031 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5031 of 2023

Murali

...Petitioner

-Vs-

1.The District Collector,
District Collectorate,
Krishnagiri - 635 115.

2.The District Revenue Officer,
District Collectorate,
Krishnagiri - 635 115.

3.The Tahsildar,
Hosur Taluk Office,
Krishnagiri District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to consider and pass orders on the petitioner's representation dated on 24.12.2022 within a stipulated time.



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For Petitioner : Mr.R.Singaravelan, Sr. Counsel
for Mr.T.Elumalai

For Respondents : Mr.C.Jayaprakash,
Government Advocate

ORDER

The relief sought for in this Writ Petition is to direct the third respondent to pass orders on the petitioner's representation dated 24.12.2022.

2. The representation submitted by the writ petitioner to the Tahsildar reveals that the authorities have re-classified the land as "Wari".

3. The learned Senior Counsel appearing for the petitioner states that no enquiry was conducted in respect of the application submitted by the writ petitioner. However, the 1907 Old Village Records prior to the year 1907 states that the land was in the name of the writ petitioner.

4. These disputed issues cannot be adjudicated in a writ proceeding by the High Court under Article 226 of the Constitution of India. Disputed



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issues relating to civil nature are to be adjudicated before the competent

Civil Court of law based on the documents and evidences. Merely based on certain documents, the High Court cannot form a final opinion regarding the title, ownership or otherwise. Classification and re-classification are done based on the guidelines and the Rules in force and thus, the petitioner has to approach the competent Civil Court of law, for the purpose of establishing his civil rights in the manner known to law.

4. With this clarification, the Writ Petition stands disposed of. No costs.

10.07.2023

Index:Yes

Speaking order/Non-speaking order

hvk



WEB COPY

To

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S.M.SUBRAMANIAM, J.

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