



WEB COPY



W.P.No.4466 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.4466 of 2018

and

W.M.P.Nos.5483 & 5484 of 2018

1. Govindaraju

2. Sugantha

... Petitioners

Vs.

1.The District Collector,
Salem, Salem District.

2.The District Revenue Officer,
District Collector Office Compound,
Salem District.

3.The Revenue Divisional Officer,
District Collector Office Compound,
Salem District.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records for the 2nd respondent in Na. Ka. No.1043/2018/G1 dt. 18.1.2018 and quash the same and consequently directing the respondents to rectify



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the FMB sketch in S.F.Nos.10 and 12 in Karumapuram Village, Valappady Taluk, Salem District, applying Government Standing Order No.385 Revenue (Public 3) Department. dt. 17.8.2004 within a stipulated time fixed by this Honourable Court.

For Petitioners : Mr.B.Gopala Krishnan

For Respondents
(for R1 to R3) : Mr.E.Sundaram
Government Advocate
(for R4) : Mr.A.Palaniappan

ORDER

The order impugned, dated 18.01.2018, issued by the District Revenue Officer Salem, is under challenge in the present writ petition. Further direction is sought for to the respondents to rectify the FMB sketch in S.F.Nos.10 & 12 in Karumapuram Village, Valappady Taluk, Salem District.

2. The petitioners state that they are the absolute owners of the subject property described in the present writ petition. The petitioners submitted an application to correct FMB sketch on the ground that some



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error has occurred. However, the District Revenue Officer conducted an inquiry and made a finding that a Civil Suit between the petitioner and the contesting respondents in O.S.No.1225 of 2012 was pending and the said suit is now transferred to the District Munsif of Judicial Magistrate Court at Valappady and re-numbered as O.S.No.16 of 2018.

3. During the pendency of the Civil Suit, the Revenue Authorities may not be in a position to effect changes in the revenue records. In the event of making corrections in the revenue records, the same would cause prejudice to either of the parties.

4. Contrarily, the parties by resolving the dispute may approach the authorities for effecting necessary changes. Admittedly, the Civil Suit instituted is pending as of now and therefore, there is no infirmity in respect of the findings made by the District Revenue Officer. On disposal of the suit and reaching finality in the civil dispute, either of the parties are at liberty to approach the competent authorities for mutation of revenue records or otherwise in the manner contemplated.



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WEB COPY 5. With these observations, the writ petition stands **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)

04.09.2023

To

1.The District Collector,
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S.M.SUBRAMANIAM. J.,

(sha)

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