



W.A.No.846 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.846 of 2023

Sidhappan

.. Appellant

Vs

- 1 The District Revenue Officer
Office of the District Revenue Officer
Coimbatore District.
- 2 The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Avinashi Taluk, Coimbatore District.
- 3 The Tahsildar
Office of the Tahsildar
Avinashi Taluk, Coimbatore District.
- 4 S.Natarajan

.. Respondents

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 18.7.2022 passed by the learned Single Judge in W.P.No.18203 of 2022.



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For the Appellant : Mr.R.Nandha Kumar
For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 3

JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

This writ appeal is directed against the order dated 18.7.2022 passed in W.P.No.18203 of 2022 filed by the appellant to quash the order dated 2.2.2022 passed by the first respondent with a consequential direction on the first respondent to cancel the subdivisions made in S.F.No.634 situated at Kuppanur Village, Annur Taluk, Coimbatore District.

2. The learned Single Judge, considering the pendency of two civil suits, one filed by the appellant in O.S.No.1972 of 2013 on the file of the District Munsif Court, Coimbatore for permanent injunction against the fourth respondent in respect of the usage of common cart track in the extreme western side portion of S.F.No.634 and the other suit filed by the fourth respondent in



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O.S.No.511 of 2021 on the file of the District Munsif Court, Coimbatore for declaration to declare that S.F.No.634 as a pathway to reach the land of the fourth respondent and for permanent injunction, has dismissed the writ petition granting liberty to the appellant to make a fresh application before the authority after the disposal of the suits.

3. We are unable to find any error in the order of the learned Single Judge assailed in this writ appeal. However, learned counsel for the appellant submitted that since there are sub-divisions in the centre of the land, if notice is ordered to the fourth respondent, the matter will be amicably settled between the parties. But still we are unable to agree with the request made by learned counsel for the appellant. However, considering the facts and circumstances of the case, it would be appropriate to direct the civil court to dispose of the suits on merits and in accordance with law without being influenced by any of the order or sub-divisions, within a period of six months from the date of receipt of a copy of this judgment.



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4. Accordingly, the writ appeal is disposed of. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
13.04.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

- 1 The District Revenue Officer
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- 3 The Tahsildar
Office of the Tahsildar
Avinashi Taluk, Coimbatore District.

Copy to:

The District Munsif,
Coimbatore.



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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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