



WEB COPY

W.P.No.84:



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8453 of 2023

and

W.M.P.No.8653 of 2023

1.K.Palanisamy

2.K.Marappa

3.K.Vijayakumar

4.K.Gopalsamy

... Petitioners

Vs.

1.The District Revenue Officer,
Tiruppur District,
Tiruppur.

2.The Revenue Divisional Officer,
Tiruppur.

3.The Tahsildar,
Tiruppur North Taluk,
Tiruppur.

4.K.Saravanakumar

5.K.Senthil Kumar

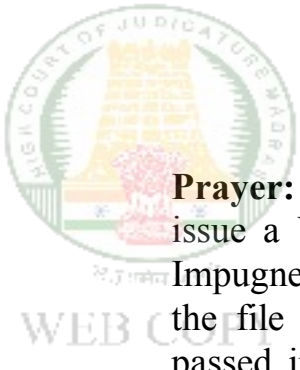
6.D.Ramesh

7.D.Senthil

8.K.Eswaramurthy

9.Eswari

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned proceedings dated 02.01.2023 passed in Ni. Mu. 25041 / 2021 / J1 on the file of the 1st Respondent herein, Impugned Proceedings dated 25.10.2021 passed in Na.ka. No. 3787 / 2019 / A2 on the file of the 2nd respondent herein, Impugned proceedings dated 08.10.1990 passed in MTR 785/ 89 - 90 on the file of the 3rd respondent herein, quash the same and consequently direct the respondents 1 to 3 herein to cancel the patta issued in the names of the private respondents.

For Petitioners	: Mr.K.Govi Ganesan
For R1 to R3	: Mr.C.Jayaprakash, Government Advocate
For R4, R5 & R9	: Mr.K.Mayilsamy
For R6	: Not ready in notice
For R7 & R8	: No appearance

ORDER

The writ petition has been instituted challenging the order passed by the District Revenue Officer, Tiruppur.

2. It is not in dispute that the petitioner had earlier filed writ petition in W.P.No.19631 of 2015 and this Court had directed the petitioner to approach the civil court for the purpose of resolving the issues. However, the present writ petition is challenging the order passed by the District Revenue Officer. Civil dispute exists between the parties and the petitioner claims property right. Thus, the District



Revenue Officer relegated the petitioner to approach the civil court of law based on the order passed in W.P.No.19631 of 2015.

WEB COPY

3. Disputed issues of civil nature cannot be adjudicated in a writ proceeding under Article 226 of the Constitution of India and the parties have to resolve the property rights only by approaching the competent civil court of law and in the present case, admittedly the dispute exist between the petitioner and other contesting respondent.

4. That being the factum, the petitioner is at liberty to approach the competent civil court of law for the purpose of establishing his civil right in the manner known to law.

5. With these observations, the writ petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

02.08.2023

2/2

skr

Index : Yes

Speaking order



W.P.No.84:

To

1.The District Revenue Officer,
Tiruppur District,
Tiruppur.

2.The Revenue Divisional Officer,
Tiruppur.

3.The Tahsildar,
Tiruppur North Taluk,
Tiruppur.



WEB COPY

W.P.No.84:



S.M.SUBRAMANIAM, J.

skr

W.P.No.8453 of 2023

02.08.2023

2/2