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W.P.Nos.6260 and 6261 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.6260 & 6261 of 2015 and
M.P.No.1 of 2015 and M.P.Nos.2 to 4 of 2015

W.P.No.6260 of 2015:

- 1.P.Indira Devi
- 2.V.Rajeswari
- 3.Dr.M.Rajagopal
- 4.M.Sivasubramanian
- 5.M.Rajendran
- 6.Dr.P.Sivakumar
- 7.P.Malliga
- 8.P.Malathi
- 9.R.Usha
- 10.R.Sudha
- 11.G.Aruna
- 12.G.Deepa

... Petitioners

Vs

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai – 600 004.
- 2.The District Registrar,
Coimbatore District, Coimbatore.
- 3.The Sub Registrar,
Ganapathy Sub Registrar Office,
Coimbatore District.



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4.The Sub Registrar,
Periyanaickenpalayam Sub Registrar Office,
Coimbatore District.

5.D.Selvaraj

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent authorities to cancel the fabricated sale deed dated 9.6.2014 registered as Document No.6913/2014 in the office of the 4th respondent, presented by the 5th respondent and consequently forbear the respondents 1 to 3 from receiving or registering any documents in respect of the petitioner's property measuring 3.87 Acres in S.F.Nos.148 and 149 and thereafter subdivided as S.F.Nos.148/5A, 148/5B, 148/7A, 148/7B, 149/2A, 149/2B, 149/5, 149/7A, 149/7B, and 148/2, 3, 4 (T.S.Nos.14/1, 14/2, 25,27, 31, 32, 44, 45) situated at Ganapathy East Village, Kovai North Taluk, Coimbatore District or any portion thereof presented by any person.

W.P.No.6261 of 2015:

- 1.P.Indira Devi
- 2.V.Rajeswari
- 3.Dr.M.Rajagopal
- 4.M.Sivasubramanian
- 5.M.Rajendran
- 6.Dr.P.Sivakumar
- 7.P.Malliga
- 8.P.Malathi
- 9.R.Usha
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- 11.G.Aruna
- 12.G.Deepa

... Petitioners

Vs

- 1.The District Collector,
Coimbatore District, Coimbatore.



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2.The Revenue Divisional Officer,
Coimbatore, Coimbatore District.

3.The Tahsildar,
Coimbatore North Taluk,
Coimbatore District.

4.The Village Administrative Officer
31, Ganapathy East,
Coimbatore North Taluk,
Coimbatore District.

5.D.Selvaraj

6.J.Sudharsan

... 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 relating to the Chitta in respect of Joint Patta No.37 issued by the 4th respondent and quash the same in respect of the name of the 6th respondent in the said chitta and consequently direct the respondent authorities 1 to 4 not to make any addition or alteration in the revenue records except the petitioners' name in respect of the property viz., property measuring 3.87 Acres in Old S.F.No.148 and 149 and thereafter subdivided as S.F.Nos. 148/5A, 148/5B, 148/7A, 148/7B, 149/2A, 149/2B, 149/5, 149/7A, 149/7B, and 148/2, 3, 4 (T.S.Nos.14/1, 14/2, 25, 27, 31, 32, 44, 45) situated at Ganapathy East Village, Kovai North Taluk, Coimbatore District.

In both WPs

For Petitioners : Mr.A.V.Raja

For Respondents : Mr.D.Ravichander

Special Government Pleader
for R1 to R4

: Not ready in notice for R5



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COMMON ORDER

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The relief sought for in the present writ petitions is to direct the respondent Department to cancel the sale deed dated 09.06.2014 registered as Document No.6913 of 2014 and also direct the respondents not to make any addition or alteration in the revenue records except the petitioners name in respect of the property measuring to an extent of 3.87 acres situated at Ganapathy East Village, Kovai North Taluk, Coimbatore District.

2. The learned Special Government Pleader appearing on behalf of the respondent Department brought to the notice of this Court that a civil suit has been instituted between the parties in O.S.No.170 of 2011. The writ petitions were filed during the pendency of the civil suit and the said suit has been disposed of on 05.10.2021. It is not made clear that whether any appeal suit has been filed by either of the parties.

3. Under these circumstances, the parties after reaching finality in civil litigation has to submit an application for effecting necessary amendments in the revenue records. Thus, the petitioners are at liberty to submit their



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application after crystallisation of their rights in respect of the subject property enabling the authorities to consider the same.

4. With the above observations, the Writ Petitions are disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

06.06.2023

Index : Yes/No
Speaking Order : Yes/No
Sgl

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai – 600 004.
2. The District Registrar,
Coimbatore District, Coimbatore.
3. The Sub Registrar,
Ganapathy Sub Registrar Office,
Coimbatore District.
4. The Sub Registrar,
Periyanaickenpalayam Sub Registrar Office,
Coimbatore District.
5. The District Collector,
Coimbatore District, Coimbatore.
6. The Revenue Divisional Officer,
Coimbatore, Coimbatore District.
7. The Tahsildar,
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8. The Village Administrative Officer
31, Ganapathy East, Coimbatore North Taluk,
Coimbatore District.



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S.M.SUBRAMANIAM, J.

Sgl

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