



WEB COPY

W.P.No.26748 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26748 of 2014

1.Dhandapani
2.Duraisamy

...Petitioners

Vs.

1.The District Revenue Officer,
Coimbatore District,
Coimbatore.

2.The Revenue Divisional Officer,
Tirupur District.

3.The Tahsildar,
Avinashi Taluk,
Tirupur District.

4.Thangavel
5.Sengottaiyan
6.Subramanian
7.Dhandapani
8.Kumarasamy
9.L.Somasundaram
10.A.Rajendran
11.A.Somasundaram
12.Ramasamy
13.N.Subramanian
14.S.Sadasivam

...Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 21.06.2013 passed in Na.Ka.No.8421/2009/E1 dated 21.06.2013 on the file of the first respondent herein, quash the same and consequently direct the first respondent herein to heard the petitioners and pass orders.

For Petitioners	: Mr.K.Govi Ganesan
For R1 to R3	: Mr.G.Krishna Raja Additional Government Pleader
For R4 to R10	: Mr.N.Manokaran

ORDER

The order passed by the District Revenue Officer, Coimbatore in proceeding dated 21.06.2013 is under challenge in the present writ petition.

2.The petitioners state that the subject property described in the writ petition is the ancestral property belonging to the petitioners. The petitioners derived title through a partition deed and the Tahsildar, Avinashi granted patta erroneously and therefore, the petitioners submitted an application. The second respondent Revenue Divisional Officer, Tiruppur passed an order in proceeding dated 08.01.2009 relegating the parties to approach the competent



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civil court of law. The petitioners preferred an appeal before the District Revenue Officer on 29.11.2012. The District Revenue Officer conducted an enquiry wherein the petitioners have also given a statement and based on the records and the statement, the District Revenue Officer passed an order cancelling the patta granted by the Tahsildar in proceeding dated 10.08.2006 in MDR.No.1993/2006. The District Revenue Officer mainly relied on the judgment and decree passed by the Civil Court in O.S.No.17/2010 dated 25.10.2010.

3. When the revenue authorities relying on the civil court decree and passed an order granting patta, cancelling the patta or otherwise, the same need not be interfered with by the High Court in a writ proceedings. The petitioners have not preferred any appeal so far against the judgment and decree passed in the civil suit. If at all any grievance exist, the petitioners have to approach the competent civil court of law for the purpose of redressal of their grievances. As far as the order impugned is concerned, it was passed by the District Revenue Officer based on the civil court decree and thus, the writ petition deserves no merit consideration.



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4. Accordingly, the writ petition stands dismissed. No costs.

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cse

Index: Yes

Neutral Citation: Yes

Speaking order

To

1. The District Revenue Officer,
Coimbatore District,
Coimbatore.
2. The Revenue Divisional Officer,
Tirupur District.
3. The Tahsildar,
Avinashi Taluk,
Tirupur District.



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S.M.SUBRAMANIAM, J.

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