



W.P.No.25554 of 2023

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **S.M.SUBRAMANIAN**

W.P.No.25554 of 2023

Jiyavul Ak

.... Petitioner

Vs

- 1.The Tahsildar,
Taluk Office, Battai Street,
Velapadi, Vellore – 632 001.
- 2.The Village Administrative Officer,
Kammavanpettai Village,
Vellore Taluk, Vellore
- 3.The President of Panchayat Board,
Kammavanpettai Village,
Kaniyampadi Panchayat Union,
Vellore Taluk, Vellore.

4.Jeelani Basha

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus forbearing the first respondent, their agents, subordinates or in any manner from patta transfer to the 4th respondent in respect of Kammavanpettai Village New S.No.410/2A1B, old S.No.410/2A to the extent of 0.04 cents in the light of adjudications made in a batch of writ petitions in W.P.Nos.262 of 2018 & etc., dated



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09.06.2023 was followed in similar writ petition No.17890 of 2023 dated 20.06.2023.

For Petitioner : Mr.P.Ganapathy
For R1 & R2 : Mr.E.Sundaram
Government Advocate
For R3 : Mrs.M.Jayanthy
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to forbear the first respondent, their agents, subordinates or in any manner from patta transfer to the 4th respondent in respect of Kammavanpettai Village New S.No.410/2A1B, old S.No.410/2A to the extent of 0.04 cents in the light of adjudications made in a batch of writ petitions in W.P.Nos.262 of 2018 & etc., dated 09.06.2023 was followed in similar writ petition No.17890 of 2023 dated 20.06.2023.

2.The learned counsel for the petitioner made a submission that the subject property is an ancestral property belonging to the petitioner's family. A partition suit has already been initiated and the same is yet to be numbered. The petitioner states that during the interregnum period, the 4th respondent is attempting to transfer the patta. If at all, any such



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attempt has been made by any of the family members or any other person, the petitioner is at liberty to seek appropriate relief in the suit which has already been instituted for partition. However, the negative prayer as such sought for in the writ petition after institution of the civil suit cannot be considered by this Court.

3. Accordingly, the Writ Petition is dismissed. No costs.

31.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
cse/apd

To

1. The Tahsildar,
Taluk Office, Battai Street,
Velapadi, Vellore – 632 001.
2. The Village Administrative Officer,
Kammavanpettai Village,
Vellore Taluk, Vellore
3. The President of Panchayat Board,
Kammavanpettai Village,
Kaniyampadi Panchayat Union,
Vellore Taluk, Vellore.

S.M.SUBRAMANIAN, J.



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