



WEB COPY

W.P. No.28617 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.28617 of 2023 and
W.M.P. No.28168 of 2023

Alagesan

... Petitioner

Vs.

1. The Revenue Divisional Officer
Kallakurichi Taluk
Kallakurichi District
2. The Tahsildar
Kallakurichi Taluk
Kallakurichi District
3. Joint-II Sub Registrar
Kallakurichi, Kallakurichi District
4. N.Palanisamy
5. P.Ramasamy

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of writ of mandamus directing the 1st and 2nd respondents to cancel the patta issued to the 4th respondent in Survey No.153/6 in patta No.1369 Indili Village, Kallakurichi Taluk, dated 11.08.2023 as per the web copy and in Survey No.153/10 in patta No.5821, Indili Village, Kallakurichi Taluk and to restore the same in the name of the petitioner on the basis of the representation dated 12.08.2023.



For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.R.P.Murugan Raja
Government Advocate for R1 to R3
R4 and R5 - Notice Sent, Service
awaited

ORDER

This Writ Petition is filed seeking a writ of mandamus directing the 1st and 2nd respondents to cancel the patta issued to the 4th respondent in Survey No.153/6 in patta No.1369 Indhili Village, Kallakurichi Taluk, dated 11.08.2023 as per the web copy and in Survey No.153/10 in patta No.5821, Indili Village, Kallakurichi Taluk and to restore the same in the name of the petitioner on the basis of the representation dated 12.08.2023.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3 and perused the records.

3. It appears that the petitioner is said to have sold the property to the private respondents, based on which, the official respondents have transferred



the patta. It is stated that a civil suit is pending in respect of the property in question. Therefore, the patta issued by the official respondents in favour of the private respondents will not bind the outcome of the suit. It is for the petitioner to work out his remedy in the manner known to law in the civil suit and the official respondents are directed to act upon the outcome of the civil suit.

4. With the above observations, the writ petition is dismissed. Consequently, connected Miscellaneous Petition is closed. However, there shall be no order as to costs.

18.10.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

1. The Revenue Divisional Officer
Kallakurichi Taluk
Kallakurichi District
2. The Tahsildar
Kallakurichi Taluk
Kallakurichi District
3. Joint-II Sub Registrar
Kallakurichi, Kallakurichi District



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P.VELMURUGAN. J.

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