



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.28618 of 2023 and
W.M.P. No.28166 of 2023

Arjunan

... Petitioner

Vs.

1. The Revenue Divisional Officer
Kallakurichi Taluk
Kallakurichi District

2. The Tahsildar
Kallakurichi Taluk
Kallakurichi District

3. N.Palanisamy

4. Akasadurai

5. M.Tamil Mani

6. A.C.Mohamed Arif

7. P.Ramesh

8. S.Manikandan

... 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 in favour of the 3, 5 to 8th respondents relating to patta Nos.5472 dated 06.01.2022, 5666 dated 09.12.2022, 5667 dated 09.12.2022, 5523 dated 30.04.2022, 5510 dated 13.04.2022 in Survey No.154/9, Indhili Village, Kallakurichi Taluk, Kallakurichi District and restore the same in the name of the petitioner on the basis of petitioner's representation dated 11.12.2022.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.R.P.Murugan Raja
Government Advocate for R1 and R2
R3, R4, R6 and R8-Notice Sent,
Service awaited
R5 and R7 - No Appearance

ORDER

This Writ Petition is filed seeking a writ of mandamus directing the 1st and 2nd respondents to cancel the patta issued in favour of the 3, 5 to 8th respondents relating to patta Nos.5472 dated 06.01.2022, 5666 dated 09.12.2022, 5667 dated 09.12.2022, 5523 dated 30.04.2022, 5510 dated 13.04.2022 in Survey No.154/9, Indhili Village, Kallakurichi Taluk, Kallakurichi District and restore the same in the name of the petitioner on the basis of the petitioner's representation dated 11.12.2022.



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

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P.VELMURUGAN. J.

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