



WEB COPY

W.P. No.31672 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.31672 of 2023

Mrs.H.Hemalatha

... Petitioner

Vs.

1. Tahsildar

Thiruporur Taluk Office

Thiruporur

Tamil Nadu - 603 110

2. Revenue Divisional Officer

Pillayar Kovil Street

Chengalpattu

Tamil Nadu - 603 001

3. District Revenue Officer

VOC Nagar, Chengalpattu - 603 001

4. H.Lalith Kumar Surana

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the 1st and 2nd respondents to conduct enquiry on the petitioner's representation dated 28-10-2023 with regard to cancellation of Patta No.2254 in Survey No.1344/1A1 and 1344/2A2 with an extent of 24 cents at Thaiyur Village, issued in favour of Lalith Kumar Surana S/o.Hanumanmal.



For Petitioner : Preethi Basker
For R1 to R3 : Mr.V.Veluchamy
Additional Government Pleader
For R4 : Mr.S.Ramesh

ORDER

The writ petition is filed seeking to issue a writ of mandamus directing the 1st and 2nd respondents to conduct enquiry on the petitioner's representation dated 28-10-2023 with regard to cancellation of Patta No.2254 in Survey No.1344/1A1 and 1344/2A2, with an extent of 24 cents, at Thaiyur Village, issued in favour of Lalith Kumar Surana S/o.Hanumanmal.

2. The 4th respondent has filed counter and stated that already a civil suit was filed by the petitioner in O.S.No.88 of 2011 before the District Munsif Court, Chengalpattu and the same is now transferred to District Munsif Court, Thiruporur and re-numbered as O.S.No.272 of 2023.

3. The learned counsel for the petitioner submitted that the said suit is filed in respect of the adjacent property of this subject matter of property. Further, the petitioner has stated that they only entered in to sale agreement and not sale.



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4. However, since civil suit is pending, the parties are not entitled to approach the revenue authorities. Even approaching the revenue authorities by suppressing the facts and obtaining any order for issuance of patta or sub division etc., that will not bind the parties in the civil suit.

5. Therefore, the parties are directed to work out their remedy before the Civil Court and they can approach the revenue authorities subject to the outcome of the civil suit. Till then, the official respondents/revenue authorities shall not entertain any type of applications either from the petitioner or from the 4th respondent.

6. Further, taking advantage of this order, the 4th respondent should not protract the Civil suit. Both the petitioner and the 4th respondent are directed to extend their fullest co-operation for the early disposal of the suit.

7. The District Munsif Court, Thiruporur, is directed to dispose of the suit in O.S.No.272 of 2023, within a period of three months from the date of copy of this order.

8. With the above directions, this Writ Petition is disposed of.



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There shall be no order as to costs.

01.12.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

1. Tahsildar

Thiruporur Taluk Office

Thiruporur

Tamil Nadu - 603 110

2. Revenue Divisional Officer

Pillayar Kovil Street

Chengalpattu

Tamil Nadu - 603 001

3. District Revenue Officer

VOC Nagar

Chengalpattu - 603 001

Copy To

The District Munsif Court, Thiruporur.



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P.VELMURUGAN. J.

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