



WP(MD)Nos.18526 to 18528 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Reserved on : 14.12.2023

Pronounced on : 18.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)Nos.18526 to 18528 of 2023

and

WMP(MD)Nos.15362,15363 & 15364 of 2023

V.Ananthanayagi ...Petitioner in WP(MD)No.18526 of 2023

R.Rajammal ...Petitioner in WP(MD)No.18527 of 2023

K.Samikannu ...Petitioner in WP(MD)No.18528 of 2023

Vs.

1.The Zonal Deputy Tahsildar,
Trichy West Taluk, Trichy.

2.M.Muthulakshmi

3.N.Meenal

4.Nalini Arulmozhi

5.L.S.Vadivel @ L.Senthilvadivel

6.L.Chidambaram @ Kittu

7.T.Sivagami ... Respondents in all cases



WP(MD)Nos.18526 to 18528 of 2023

Prayer in WP(M)No.18526 of 2023 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to delete the name of the respondents 2 to 7 newly added as joint pattadars with the petitioner in respect of the property situated at Old S No.282, New S.No.276/3B, 276/3C and 376/3D in Ward AM, Block 31 situated at Piratiyur Village, Trichy West Taluk and restore the name of the petitioner as pattadar in respect of the property situated at Old S No.282, New S.No.276/3B, 276/3C and 376/3D in Ward AM, Block 31 situated at Piratiyur Village, Trichy West Taluk.

Prayer in WP(M)No.18527 of 2023 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to delete the name of the respondents 2 to 7 newly added as joint pattadars with the petitioner in respect of the property situated at Old S No.282, New S.No.276/3B, 276/3C and 376/3D in Ward AM, Block 31 situated at Piratiyur Village, Trichy West Taluk and restore the name of the petitioner as pattadar in respect of the property situated at Old S No.282, New S.No.276/3B, 276/3C and 376/3D in Ward AM, Block 31 situated at Piratiyur Village, Trichy West Taluk.

Prayer in WP(M)No.18528 of 2023 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to delete the name of the respondents 2 to



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7 newly added as joint pattadars with the petitioner in respect of the property situated at Old S No.282, New S.No.276/3C in Ward AM, Block 31 situated at Piratiyur Village, Trichy West Taluk and restore the name of the petitioner as pattadar in respect of the property situated at Old S No.282, New S.No.276/3C in Ward AM, Block 31 situated at Piratiyur Village, Trichy West Taluk.

In all cases :

For Petitioners : Mr.Sricharan Rangarajan,
Senior Counsel for Mr.J.Anandkumar

For Respondents: Mr.R.Baskaran,
Additional Advocate General
assisted by Mr.M.Sidharthan
Additional Government Pleader for R1

Mr.S.R.Rajagopal, Senior Counsel
for Mr.M.Sriram for R2 to R7

COMMON ORDER

Heard both sides.

2.The District Revenue Officer, Trichirappalli issued proceedings bearing Na.Ka.No.6/26635/2021 dated 07.10.2022 for effecting mutation in respect of the petition-mentioned lands in the revenue records. The said proceedings were adverse to the writ petitioners. For



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instance, Survey No.276/3 (corresponding to Old S.No.282/3B)

Piratiryur West Village originally stood in the name of Velusamy, Swamikannu, Ananthanayagi and Rajammal. Vide proceedings dated 07.10.2022, mutation was made in favour of Umayal, Meenakshi, Valliammai, Subramaniyan Chettiyar, Palaniyappa Chettiyar and Senthilnathan Chettiyar. Similar mutations were made in respect of several other Survey Numbers. This proceedings of the DRO, Trichy was put to challenge at the instance of the writ petitioner herein in WP(MD)No.24742 of 2022, 24743 of 2022 and 24745 of 2022. Vide order dated 26.06.2023, I held that the challenge to the aforesaid proceedings dated 07.10.2022 has to necessarily fail. I however held that I have not gone into the issue of possession. I made it clear that the issue of possession will have to be decided only by the jurisdictional civil court. With that observation, the writ petitions were dismissed. The contesting respondents herein have not filed any writ appeal questioning the said finding. The writ petitioners claim that they have filed an appeal but till date the order passed by this Court has not been stayed or set aside by the Hon'ble Division Bench. In these circumstances, I fail to understand as to how the Zonal Deputy



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Tahsildar could have issued joint patta by including the names of the writ petitioners herein. It is well settled that the proceedings of the subordinate authority on a given subject matter cannot be at variance with the anterior proceedings of the superior authority. When the DRO had held that the names of the writ petitioners stood deleted, the Zonal Deputy Tahsildar could not have included their names in the patta. The impugned joint patta issued by the first respondent is not in consonance with the proceedings dated 07.10.2022 issued by the DRO, Trichirappalli. In fact, the contesting private respondents must feel aggrieved. The writ petitioners cannot claim to be aggrieved. So long as the order dated 26.06.2023 made in WP(MD)Nos.24742 of 2022, 24743 of 2022 and 24745 of 2022 upholding the order dated 07.10.2022 passed by the DRO is holding good, this Court cannot entertain any challenge at the instance of the writ petitioners.

3.The writ petitions are dismissed. No costs. Connected miscellaneous petitions are closed.

18.12.2023

Index : Yes / No
Internet : Yes / No
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WEB COPY

1.The Zonal Deputy Tahsildar,
Trichy West Taluk, Trichy.



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G.R.SWAMINATHAN, J.

SKM

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