



W.P.(MD)No.20046 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20046 of 2021

Meenatchi

... Petitioner

vs.

1.The District Collector,
Tiruchirapalli District, Tiruchirapalli.

2.The District Revenue Officer,
Tiruchirapalli District, Tiruchirapalli.

3.The Tahsildar,
Thiruverumpur Tahsildar Office,
Thiruverumpur, Tiruchirapalli District.

4.The Village Administrative Officer,
Thuvakudi Malai Village Administrative Office,
Thiruverumpur Taluk, Thiruchirapalli District.

5.Karuppiah

6.S.Rajaram Mohanraj

... Respondents

(R6 was impleaded vide order of this Court dated 20.11.2023 in W.M.P. (MD)No.19505 of 2021)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to



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remove the 5th respondent's name from in Survey old No.557/3 and New No.835/24 to the extent of 4 cents and adjacent land situated in Ayyanarkoil Street, Thuvakudi Malai, Thiruverumpur Taluk, Tiruchirapalli District and issue fresh Patta in the name of deceased Thangalu's legal heirs based on the petitioner's representation dated on 19.08.2021.

For Petitioner	:Mr.T.P.Balasubramanian
For R1 to R4	:Mr.A.K.Manikkam
	Special Government Pleader
For R6	:Mr.C.Vakeeswaran

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the third respondent to deal with the representation made by the petitioner on 19.08.2021, wherein, the petitioner has sought for the removal of the name of the fifth respondent from the patta and to issue patta in the name of the deceased Thangal's legal heir.

2.The third respondent has filed a counter affidavit. It is seen from the counter affidavit that already the subject property has been sold in favour of the fifth respondent through registered sale deed dated 19.01.1985, who in turn, sold the property in favour of the impleaded



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sixth respondent through a registered sale deed dated 26.12.2011. It is also mentioned in the counter affidavit that the parties were also creating law and order problem and hence, Section 145 Cr.P.C., proceedings have been initiated and during enquiry, it was found that the subject property has been classified as Natham in the 'A' register.

3.Heard Mr.T.P.Balasubramanian, learned Counsel appearing on behalf of the petitioner Mr.A.K.Manikkam, learned Special Government Pleader appearing on behalf of the respondents 1 to 4 and Mr.C.Vakeeswaran, learned Counsel appearing on behalf of the third respondent.

4.In the considered view of this Court, the subject property has already been dealt with as early in the year 1985 and thereafter, in the year 2011. The learned Counsel for the petitioner submitted that the parties have created fraudulent documents. Whether, the documents involved are fraudulent cannot be gone into by this Court or by the revenue authorities. If the petitioner is aggrieved by the execution of the sale deeds, the petitioner should have challenged the documents before



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the competent Civil Court. The revenue authorities can only go by the title documents and issue patta without going into the disputed questions of right and title.

5.In view of the same, the request made by the petitioner to remove the name of the fifth respondent from the patta is unsustainable. This proceedings cannot be undertaken by the third respondent, since the title document is available in the name of the fifth respondent and thereafter, in the name of the sixth respondent. Accordingly, there is no scope for this Court for granting the relief as sought for by the petitioner.

6.In the result, this Writ Petition is disposed of. No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

20.11.2023
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N.ANAND VENKATESH, J.

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