



W.P(MD)No.20762 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2023

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.20762 of 2014 and
MP(MD)No.1 of 2014

R.Selvam

Petitioner

Vs

1.The District Collector,
Karur District,
Karur.

2.The Headquarters,
Deputy Tahsildar,
Karur.

3.The Village Administrative Officer,
Thoranakalpatti Village,
Karur District.

4.Lakshmana Naickkar

5.Muthayee

6.Rengasamy

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned patta



W.P(MD)No.20762 of 2014

proceedings in Patta No.227 in respect of S.F.No.180 at Thoranakalpatti Village, Karur Taluk and District on the file of the second respondent quash the same and consequently directing the second respondent to restore the patta in the petitioner's favour.

For Petitioners	:Mr.K.Muthu Ganesa Pandian
For R1 to R3	:Mr.J.K.Jeyaseelan
	Government Advocate
For R4	:Mr.S.Gokul Raj

ORDER

The entries made in Patta No. 227 in respect of S.F.No. 180 at Thoranakalpatti Village, Karur is put under challenge in this writ petition.

2.The learned counsel appearing for the petitioner submits that the petitioner purchased the land in S.F.No.180 to an extent of 8.29 cents at Thoranakalpatti Village, Karur vide sale deed, dated 11.04.1984 and he is in possession of the property and patta was also granted in favour of him in Patta No.227. While so, the second respondent has added the names of the respondents 4 to 6 in the patta even without any notice and without conducting any



W.P(MD)No.20762 of 2014

enquiry. According to the petitioner, the respondents 4 to 6 are not having any right over the subject property. Hence, this writ petition.

3.Today (28.03.2023), when this writ petition is taken up for hearing, it is reported that the sixth respondent has filed a suit in O.S.No.435 of 2014 for the relief of declaration and for partition before the Sub Court, Karur and the same is still pending. The petitioner herein has also filed two other suits in O.S.Nos.494 of 2014 and 32 of 2016, for the relief of declaration and those suits were renumbered as O.S.Nos.172 and 174 of 2017 and are now pending before the Sub Court, Karur.

4.The learned Government Advocate appearing for the respondents submits that if there is any dispute over the entries made in the patta by the Tahsildar, the only remedy available to the petitioner is to approach the Revenue Authorities concerned. However, without doing so, the petitioner has directly invoked Article under 226 of the Constitution of India.



W.P(MD)No.20762 of 2014

WEB COPY

5.This Court considered the rival submissions made on either side and also perused the materials placed on record.

6.If the petitioner is having any grievance with regard to the entries in patta, they have to approach the revenue authorities or the competent Civil Court to redress his grievance. Since the petitioner has already invoked the competent Civil Court, he is at liberty to work out his remedy in the suits O.S.Nos.172 and 174 of 2017, which are pending before the Sub Court, Karur.

7.With such liberty, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

28.03.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

vrn



W.P(MD)No.20762 of 2014

To
WEB COPY

- 1.The District Collector,
Karur District,
Karur.
- 2.The Headquarters,
Deputy Tahsildar,
Karur.
- 3.The Village Administrative Officer,
Thoranakalpatti Village,
Karur District.



WEB COPY



W.P(MD)No.20762 of 2014

B.PUGALENDHI, J

vrn

Order made in
W.P(MD) No.20762 of 2014 and
MP(MD)No. 1 of 2014

28.03.2023