



W.P.No.3792 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.3792 of 2024

and

W.M.P.Nos.4097 & 4100 of 2024

... Petitioner

Baskaran

Vs.

- 1 The District Revenue Officer ,
District Collectorate Office,
Kallakurichi,
Kallakurichi District.
- 2 The Revenue Divisional Officer,
Thirukovilur,
Kallakurichi District.
- 3 Thasildhar
Ulundurpet,
Kallakurichi Taluk,
Kallakurichi District.

.... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for records pertaining to the order passed by 1st respondent in Pa.Mu. A3 / 16757 / 2021 dated 21.11.2023 and to quash the same and direct the respondents 1 to 3 to transfer the patta in respect of the subject property in S. No. 136/6 an extent of 0.56.5 hectare and 141/3 an extent of 0.52.0 Hectare, Ulundurpettai totalling to an extent of 1.08.5 Hectares.

For Petitioner : Mr.R.Ganesan

For Respondents : Mr.T.Arunkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus to call for records pertaining to the order passed by the first respondent in Pa.Mu. A3 / 16757 / 2021 dated 21.11.2023 and to quash the same and direct the respondents 1 to 3 to transfer the patta in respect of the subject property in S. No. 136/6 an extent of 0.56.5 hectare and 141/3 an extent of 0.52.0 Hectare, Ulundurpettai totalling to an extent of 1.08.5 Hectares.



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2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents and perused the materials available on record.

3. Already the Revenue authorities have discussed the matter on merits and they have also stated that the Revenue Court has no authority to declare title, right and right of conveyance and directed the petitioner to approach the Civil Court. Still aggrieved over the same, the petitioner has filed the present writ petition challenging the impugned order.

4. This Court of the view that there is a dispute between the parties is civil in nature. The Writ Court cannot conduct a roving enquiry and find out the correctness based on the right and interest over the property. The competent court is a Civil Court which can testify the veracity of the pleadings and the documents by way of oral and documentary evidence.



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5. In view of the above, the Writ Petition is dismissed.

However, the petitioner is at liberty to workout his remedy before the Civil Court, in the manner known to law. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.02.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

- 1 The District Revenue Officer ,
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Kallakurichi District.
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P.VELMURUGAN, J.

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