



WEB COPY

W.P.No.8741 of 2024
and W.M.P.Nos.9754 & 9755 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.8741 of 2024
and W.M.P.Nos.9754 & 9755 of 2024

Jayanthi

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Petitioner

versus

1.The District Collector,
Tiruppur District, Tiruppur.

2.The District Revenue Officer,
Tiruppur.

3.The Revenue Divisional Officer,
Tiruppur.

4.The Tahsildar,
Avinashi Taluk, Tiruppur District.

5.The Sub-Registrar,
Punjaipuliyampatti Sub Registration Office,
Avinashi Taluk, Tiruppur District.

6.N.Kamalaveni

7.R.Selvam

8.S.Gopalakrishnan

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Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned joint patta mutated in favour of 6th respondent passed by the 4th respondent on 19.12.2023 in Patta No.382 in respect of Survey No.160/2-I, situate at Mangarasavalayapalaiyam Village, Avinashi Taluk, Tiruppur District and to quash the same, consequently direct the 2nd and 4th respondent to restore the patta in favour of petitioner based on the petitioner's representation dated 21.12.2023.

For Petitioner : Mr.C.Prabakaran

For Respondent Nos.1 to 5 : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the mutation of patta in favour of the sixth respondent passed by the fourth respondent dated 19.12.2023 and also to direct the respondents 2 and 4 to restore the patta in favour of petitioner based on her representation dated 21.12.2023.

2. Challenge has been made to the effect that the petitioner has filed a Civil Suit in O.S.No.90 of 2008 before the District Munsif Court, Avinashi and also an Appeal has been filed in A.S.No.31 of 2018 before the Sub Court, Avinashi. The objections of the petitioner have not been considered and hence, she challenges the transfer of patta.



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3. It is seen that a suit filed in O.S.No.90 of 2008 before the District Munsif Court, Avinashi, was already disposed of and the Appeal filed in A.S.No.31 of 2018 before the Sub Court, Avinashi, is pending. A mere transfer of patta by any of the parties will not take away the rights of the parties, who have succeeded in the Civil Suit. In the event, the petitioner succeeds in the Civil Suit, any transfer made by the Revenue Authorities will not bind the petitioner and the mutation shall take effect on the basis of the result of the decree and judgment.

4. In such view of the matter, I do not find any merits in this Writ Petition and the same is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

02.04.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri



To

- 1.The District Collector,
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Tiruppur.
- 3.The Revenue Divisional Officer,
Tiruppur.
- 4.The Tahsildar,
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N.SATHISH KUMAR, J.

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02.04.2024
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