



WEB COPY

W.P. No.7384 of 2004



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.7384 of 2004 and
W.M.P. No.8735 of 2004

V.M.Rajalingam

... Petitioner

Vs.

1. State of Tamil Nadu
Rep. by its Secretary
Revenue Department
Fort. St. George, Chennai - 9
2. Tahsildar
Tirupur, Coimbatore
3. Revenue Divisional Officer
Tirupur, Coimbatore
4. District Revenue Officer
Coimbatore
5. D.Swaminathan
6. R.Krishnan
7. K.Vaduganathan

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the 4th respondent in Ref.Na.Ka.No.45580/2002/E2 dated 30.01.2004 set aside the order of the 3rd respondent dated 04.07.2002 in ref.No.4415/2002/A2 quash the same and direct the respondents to restore the revenue records in the name of the petitioner to its original position.



For Petitioner : Mr.T.S.Baskaran

For R1 to R4 : Mrs.V.Yamunadevi
Special Government Pleader

For R5 to R7 : No appearance

ORDER

This Writ Petition is filed seeking a Writ of Certiorarified Mandamus calling for the records of the 4th respondent in Ref.Na.Ka.No.45580/2002/E2 dated 30.01.2004 set aside the order of the 3rd respondent dated 04.07.2002 in ref.No.4415/2002/A2 quash the same and direct the respondents to restore the revenue records in the name of the petitioner to its original position.

2. The learned counsel for the petitioner submitted that the writ petition is filed challenging the proceedings of the Revenue Department with regard to grant of Patta and sub division of property in Survey No.329/1A2 and pending writ petition, the respondents 5 to 7 along with others have sold the property to a third party and executed a registered sale deed dated 01.04.2015 vide Doc. No.1600 of 2015 on the file of the SRO, Nallur, Tirupur. Hence, petitioner has filed a civil suit in O.S.No.5 of 2020 on the file of the Principal District Judge, Tirupur, for the relief of declaration of title in respect of a



portion of the said property and also challenging the sale deed and the same is still pending. Hence, he prays for appropriate direction.

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3. Today, when the matter is taken up for hearing, none appeared on behalf of the the respondents 5 to 7.

4. Since it is stated that the respondents 5 to 7 have sold the property to a third party and the petitioner has also approached the Civil Court challenging the sale deed and for declaration of title, the petitioner is directed to work out his remedy before the Civil Court and the official respondents are directed to abide by the result of the Civil Court.

5. With the above direction, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

29.01.2024

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Index : Yes / No

Neutral Citation Case : Yes/No



To

1. The Secretary
Revenue Department
Fort. St. George, Chennai - 9
2. The Tahsildar
Tirupur, Coimbatore
3. The Revenue Divisional Officer
Tirupur, Coimbatore
4. The District Revenue Officer
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P.VELMURUGAN. J.

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