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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.A.No.613 of 2023

and

C.M.P.No.6030 of 2023

R.Venkatesan

... Appellant

Vs.

1.The District Collector,
Ranipet District.

2.District Revenue Officer,
Ranipet District.

3.The Sub Collector,
Ranipet.

4.The Tahsildar,
Sholinghur.

5.Assistant Commissioner / Executive Officer,
Arulmigu Lakshmi Narasimha Swamy Thirukoil,
Sholinghur.

6.The Block Development Officer,



W.A.No.613 of

Sholinghur, Ranipet.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed in W.P.No.22321 of 2021, dated 23.11.2022 and allow the writ appeal.

For Appellant	: Mr.T.N.Rajagopalan
For R1 to R4 & R6	: Mr.A.Selvendran Special Government Pleader
For R5	: Mr.V.Stalin For M/s.A.S.Kailasam and Associates

J U D G M E N T

[Judgment was delivered by **S.M.SUBRAMANIAM, J.**]

The present intra court appeal has been instituted challenging the writ order dated 23.11.2022 in W.P.No.22321 of 2021.

2. Admittedly, the civil right in respect of the subject property is in dispute. The Updating Registry Scheme (UDR) corrections made by the District Collector are under challenge.



3. Perusal of the order of the District Collector reveals that certain erroneous entries were made and in order to correct the entries, order dated 02.09.2021 has been issued. The entire extent of 497.17 originally stood in the name of the Temple and Government Poromboke. Therefore, the origin of classification and the relevant revenue records are to be verified in original.

4. However such disputed issues of civil nature cannot be adjudicated in a writ proceeding or in a writ appeal. Thus, the learned Single Judge rightly relegated the parties to approach the Competent Civil Court of Law for the purpose of redressal of their grievances.

5. Thus, we do not find any infirmity. Therefore, the parties are at liberty to approach the Competent Civil Court of Law for the purpose of establishing their civil rights based on documents and evidences available on record. It is made clear that in the event of institution of the any civil suit, the Court concerned shall adjudicate the issues independently and uninfluenced by the observations made in the order passed in the writ petition.



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6. Accordingly, the Writ Appeal stands dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

[S.M.S., J.] [K.R.S., J.]

27.03.2024

(1/4)

Jeni

Index : Yes

Speaking order

Neutral Citation : Yes

To

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S.M.SUBRAMANIAM, J.
and
K.RAJASEKAR, J.

Jeni

W.A.No.613 of 2023

27.03.2024
(1/4)