



W.P.No.6180 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.6180 of 2024

V.Palanisamy

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Harur Taluk,
Dharmapuri.

2. The Tahsildar,
Harur Taluk,
Dharmapuri.

3. S.Agilan

4. Santhi

5. Manivannan

6. Arunprasath

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to



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consider the petitioner's representation dated 21.01.2023 and 20.07.2023 for cancellation of Patta issued in favour of respondents 3 to 6 in respect of land measuring an extent of 30 cents situated in S.No. 27/2 Sub Division 27/4, Pichampatty, H.Doddampatty Village, Harur Taluk Dharmapuri District.

For Petitioner : Mr.P.Valliappan,
Senior Advocate,
for PV Law Associates

For R1 & R2 : Mr.T.Arunkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents 1 and 2 to consider the petitioner's representations dated 21.01.2023 and 20.07.2023 for cancellation of Patta issued in favour of respondents 3 to 6 in respect of land measuring an extent of 30 cents situated in S.No. 27/2, Sub Division 27/4, Pichampatty, H.Doddampatty Village, Harur Taluk Dharmapuri District.

2. Heard the learned Senior counsel appearing for the petitioner



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

3. Since no adverse order is passed against the private respondents, notice to the private respondents/R3 to R6 is dispensed with.

4. Already the petitioner along with his family members filed the civil suit in O.S.No.53 of 2011 on the file of the Principal District Munsif Court, Harur against the officials as well as the private respondents and the same is pending. The dispute between the parties are civil in nature.

5.This Court of the view that there is a dispute between the private parties which is civil in nature. The Writ Court cannot conduct a roving enquiry and find out the correctness of 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.

6. In view of the above, the Writ Petition is dismissed. However, the petitioner is at liberty to workout his remedy before the



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Civil Court, in the manner known to law. There shall be no order as to costs.

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Harur Taluk,
Dharmapuri.
2. The Tahsildar,
Harur Taluk,
Dharmapuri.



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P.VELMURUGAN, J.

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