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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.849 of 2023

and

C.M.P.No.8201 of 2023

Prabakaran

... Appellant

Vs.

1.The District Collector,
Ranipet District,
Ranipet.

2.The District Registrar,
Arakkonam,
Ranipet District.

3.The Assistant Commissioner / Executive Officer,
Arulmighu Lakshmi Narasimma Swami Temple,
Sholinghur.

4.The Tahsildar,
Sholinghur,
Ranipet.

... Respondents



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W.A.No.849 of





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Prayer: Writ Appeal filed under Clause 15 of Letters Patent to allow the above writ appeal and set aside the order made in W.P.No.21156 of 2021, dated 23.11.2022.

For Appellant	: Mr.Jeremiah Gregory John
For R1, R2 & R4	: Mr.A.Selvendran Special Government Pleader
For R3	: 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.21156 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



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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

(4/4)

Jeni

Index : Yes

Speaking order

Neutral Citation : Yes

To

1.The District Collector,
Ranipet District,
Ranipet.

2.The District Registrar,
Arakkonam,
Ranipet District.

3.The Assistant Commissioner / Executive Officer,
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WEB COPY

W.A.No.849 of



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

Jeni

W.A.No.849 of 2023

27.03.2024
(4/4)