



W.P.No.2287 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.2287 of 2024

V.P.Jayakumar

... Petitioner

versus

1.The Commissioner of Land Administration,
Chepauk, Chennai – 600 005.

2.The District Revenue Officer,
Coimbatore.

3.The Executive Officer,
Arulmighu Kari Varadharaja Perumal Thirukoil,
Vellalur, Coimbatore.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records in Proc.No.R1/1738938/2021 dated 10.11.2022 passed by the first respondent confirming the order of the second respondent dated 04.12.2013 made in Na.Ka.No.13258/2013/E1, quash the same and consequently direct the second respondent to issue Patta after rectifying the error crept in the Re-Survey and Re-settlement, 1913 together with the order of substitution of the classification of 'Nanja land' in the place of 'Tharису land' in respect of

Pg.Nos.1/5



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S.No.764/5 of Vellalur Village, Coimbatore South Taluk (presently Madukarai Taluk).

For Petitioner : Mr.Manoj Sreevalsan

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader
for R1 and R2

Mr.N.R.R.Arun Natarajan
Special Government Pleader (HR & CE)
for R3

ORDER

Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader accepts notice for respondents 1 and 2 and Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE) accepts notice for the third respondent. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed to quash the the proceedings in Proc.No.R1/1738938/2021 dated 10.11.2022 passed by the first respondent confirming the order of the second respondent dated 04.12.2013 vide

Pg.Nos.2/5



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Na.Ka.No.13258/2013/E1, and consequently direct the second respondent to issue Patta after rectifying the error crept in the Re-Survey and Re-Settlement, 1913 together with the order of substitution of the classification of 'Nanja land' in the place of 'Tharisu land' in respect of S.No.764/5 of Vellalur Village, Coimbatore South Taluk (presently Madukarai Taluk).

3. Heard both sides and perused the materials available on record.

4. It is seen from the records that the writ petitioner herein has already filed a writ petition in W.P.No.6193 of 2014 and this Court disposed of the case on 08.10.2018 and directed the respondents 1 to 3 therein to evict the petitioner from the Government lands within a period of four weeks from the date of receipt of a copy of the order. Challenging the same, the petitioner has not filed any appeal before this Court, however, the petitioner herein along with five others filed a civil suit in O.S.No.532 of 2021 before the District Court, Coimbatore for declaration of title and the same is still pending.

5. Since the civil suit in O.S.No.532 of 2021 is pending before the



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District Court, Coimbatore, the petitioner is at liberty to work out his remedy before the Civil Court. Hence, the petitioner is not entitled to get any relief as sought for in this writ petition. Therefore, this writ petition is dismissed. However, there shall be no order as to costs.

02.02.2024

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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To

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P.VELMURUGAN, J.

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