



WEB COPY



W.P.No.15603 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.15603 of 2024

Lakshmanan

.. Petitioner

Vs

1.The District Collector
Salem

2.The Authorised Officer and
the Special District Revenue' Officer (Land Acquisition)
National Highways-68
District Collectorate, Salem

3.The Tahsildar
Hasthampatty, Salem-7

4.Devarajan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 3rd respondent to correct the error occurred in the revenue records regarding the extent of the property comprised in TS.No.44/4 (SF.No.327/2C, 327/1, 327/2A and 327/3C) as 1.02 acres instead of 1.25 acres by considering the representations of the petitioner dated 22.11.2023 and 10.01.2024.



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For Petitioner : Mr.R.Nalliyappan
For R1 to R3 : Mr.A.Selvam
Special Government Pleader

ORDER

Seeking a direction to the 3rd respondent to set right the error occurred in the revenue records in respect of property comprised in TS.No.44/4 (SF.No.327/2C, 327/1, 327/2A and 327/3C) as 1.02 acres instead of 1.25 acres by considering the representations of the petitioner dated 22.11.2023 and 10.01.2024, this writ petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3 and perused the materials placed on record.

3. It is the case of the petitioner that the 4th respondent owned an extent of 1.39½ acres, out of which, 37 cents was acquired by the 2nd respondent; despite this fact, the present revenue records shows that an extent of 1.25 acres belongs to the 4th respondent; actually the 4th respondent is entitled to only 1.02½ acres. Hence, the present writ petition.



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4. When this Court posed a question to the learned counsel for the petitioner, as to what is the entitlement of the petitioner and the source of title, no answer was forthcoming.

5. Be that as it may, admittedly, a suit in O.S.No.576 of 2023 is pending on the file of the IV Additional District Munsif Court, Salem, between the parties in respect of the same survey number.

6. As the suit is pending between the parties, the Revenue authorities cannot be directed to rectify the records. If at all the petitioner wants to establish his right, he can very well do so in the pending suit.

With the above observation, this writ petition stands dismissed.
No costs.

20.06.2024

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Index : Yes/No

Neutral Citation : Yes/No



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N.SATHISH KUMAR, J.

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