



WEB COPY

W.P.No.16906 of '24



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.16906 of 2024

V.Dhanasekar

...

Petitioner

versus

1.The Secretary to Government,
Revenue and Disaster Management,
Fort St. George,
Chennai - 600 009.

2.The Collector,
Chennai District,
Rajaji Salai,
Chennai - 600 001.

3.The Tashildhar,
Perambur Taluk,
Chennai - 600 011.

4.The Inspector of Police, (L&O)
M-6 Manali Police Station,
Chennai - 600 068.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the third respondent to implement the orders of the second respondent in Ref.



Na.Ka.No.J4/8560/2023, dated 26.04.2024, to record the objections of the petitioner in the "Taluk Objection Register" maintained by the third respondent and for other reliefs.

For Petitioner	:	Mr.N.Umapathi for Mr.Alex Abraham
For Respondent Nos.1 to 3	:	Mr.A.Selvendran Special Government Pleader
For Respondent No.4	:	Mr.S.Sugendran Additional Public Prosecutor

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the third respondent to implement the orders of the second respondent in Ref. Na.Ka.No.J4/8560/2023, dated 26.04.2024.

3. Heard the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 to 3, learned Additional Public Prosecutor for the fourth respondent and perused the materials available on record.



4. It is the grievance of the petitioner that, in respect of the immovable properties, already the suit is pending in C.S.No.147 of 2016 and in this regard, an application has been sent to the Collector not to effect any mutations in the revenue records. The District Collector, in his proceedings dated 26.04.2024 directed the Tahsildar to make an entry in the Objections Register. However, the same has not been done by the Tahsildar. Hence, he seeks a direction.

5. Mr.D.Rajendran, learned counsel for one of the proposed impleading parties and Mr.V.R.Annagandhi, learned counsel for the proposed respondents are appeared before this Court.

6. The crux of the issue with regard to the change in revenue records. Admittedly, the suit is pending before this Court. Unless, the rights of the parties are conclusively determined by the Civil Court merely on the basis of the representation of the parties, the revenue records cannot be changed.



7. It is also brought to the notice of this Court that there was a direction by this Court in W.P.No.32776 of 2023 dated 06.02.2024 to survey the lands. It appears that, one Arasappan, a subsequent purchaser in the suit has obtained an order for survey. However, the said order has been obtained in the above writ petition by suppressing pendency of the suit between parties. Therefore, this Court is of the view that mere direction by this Court will not enable the authorities to change the revenue records.

8. With the above directions, this Writ Petition is disposed of, as no direction is required. No costs.

28.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri



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N.SATHISH KUMAR, J.

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