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W.P.No.26921 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.26921 of 2024

and

W.M.P.No.29439 of 2024

- 1.Chandrasekaran
- 2.Kuppusamy
- 3.Manikandan
- 4.Sivakumar@senthilkumar

...Petitioners

Vs.

1. The District Registrar,
Coimbatore-641 018.
2. The Sub-Registrar,
Anamalai, Coimbatore District.
3. The Zonal Deputy Tahsildar,
Anamalai.
4. Malaiyathal
5. Deivathal
6. Dhanalakshmi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned communication dated 30.05.2024 issued by 3rd



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respondent quash the same and consequently direct the 3rd respondent to include the petitioners in joint Patta No.383 in S.No.392/3A and S.No.393/1 to the extent of 8.35 acres, situated at Anamalai Taluk, Coimbatore District.

For Petitioners : Mr.Vignesh A.V.

For Respondents : Mr.P.Sathish for R1 to R3
Additional Government Pleader

: Mr.P.Tamilavel for R4 to R6

ORDER

Aggrieved by the order passed by the third respondent dismissing the application filed by the petitioners seeking patta transfer, the petitioner has come by way of this Writ Petition.

2. It is the case of the petitioner that as per the order passed by this Court in S.A.No.718 of 2008, the petitioners are entitled to 50% share and 1/3rd of other 50% share in the subject property. Therefore, the petitioners filed an application before the third respondent seeking inclusion of their names in the revenue records along with the respondents 4 to 6 and issue joint patta and the same has been rejected by the third respondent on the ground that a civil proceedings is pending.



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3. The learned counsel for the petitioners submitted that the civil suit between the petitioners and the private respondents culminated in passing of judgment and decree dated 31.01.2024 in the Second Appeal in S.A.No.718 of 2008. The third respondent without taking into consideration the share of the petitioners declared by the High Court passed the impugned order.

4. A perusal of the online application submitted by the petitioners would indicate that the petitioners have not shown the judgment passed by the High Court in S.A.No.718 of 2008 as supporting document and only the certificate of partition deed has been shown as supporting document. Therefore, the petitioners are directed to file a fresh application before the third respondent seeking inclusion of their names in the patta along with the respondents 4 to 6 based on the judgment delivered by this Court in S.A.No.718 of 2008. If any such application is filed by the petitioners, the third respondent shall consider the same, in the light of the judgment in S.A.No.718 of 2008 and final orders shall be passed within a period of six weeks from the date of receipt of such application.



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5. With the above observation, this Writ Petition is disposed of.

No costs. Consequently, connected Miscellaneous Petition is closed.

01.10.2024

(1/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna

To

1. The District Registrar,
Coimbatore-641 018.
2. The Sub-Registrar,
Anamalai, Coimbatore District.
3. The Zonal Deputy Tahsildar,
Anamalai.



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S.SOUNTHAR, J.
dna

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