



WP.No.31601 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

WP.No.31601 of 2024

Ramar

.. Petitioner

Versus

1.The District Collector
Salem, Salem District

2.The Revenue Divisional Officer
Mettur Taluk, Salem District

2.The Tahsildar
Omalur Taluk, Salem District

3. The Village Administrative Officer
Thathaiyankar Patti Village
Omalur Taluk, Salem District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to restore the petitioners patta in Patta No.637 in respect of land in survey No 131/2A an extent of 0.10.5 hec. at Thanthaiyankarpatti Village, Omalur Taluk, Salem District as per decree in O.S. No 13/2016 dated 18.11.2022 passed by the District Munsif Court, Omalur.

For Petitioner : Mr.M.Elango

For Respondents : Mr.P.Sathish
Additional Government Pleader



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ORDER

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The petitioner herein seeks for a direction to respondents more particularly, the 3rd respondent to restore the petitioners patta in Patta No.637 in respect of land in survey No 131/2A an extent of 0.10.5 hec. at Thanthaiyankarpatti Village, Omalur Taluk, Salem District as per decree in O.S. No 13/2016 dated 18.11.2022 passed by the District Munsif Court, Omalur.

2. It is the case of the writ petitioner that the above mentioned property was purchased by him vide registered sale deed dated 12.01.2001. Later, patta was issued in favour of the petitioner vide Patta No.637, however, the third respondent subsequently cancelled the patta issued in favour of the petitioner. Therefore, the petitioner filed a civil suit in O.S.No.13/2016 on the file of District Munsif, Omalur seeking for declaration of title and permanent injunction against the respondents. The suit was decreed on 18.11.2022. Based on the civil court decree in his favour, the petitioner seeks direction to the third respondent to restore the patta in his favour. Hence, this writ petition.

3.The learned Additional Government Pleader appearing for the respondents is unable to give any details regarding the fact whether any appeal



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is filed challenging the decree in O.S.No.13/2016.

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4. In such case, when the Civil Court's decree had attained finality, the respondents are expected to act in accordance with the Civil Court decree. Therefore, the third respondent is directed to consider the request of the petitioner and restore the patta within a period of six weeks from the date of receipt of a copy of this Order, if no appeal is preferred as against the decree dated 18.11.2022 made in O.S.No.13/2016 on the file of District Munsif, Omalur.

5. Accordingly, this writ petition stands disposed of. No costs.

28.10.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No



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S. SOUNTHAR, J.

dhk

To

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