



W.P.No.35557 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.35557 of 2023

V.Sekar

S/o.V.Punniyavathi Ammal

... Petitioner

versus

1. The Principal Secretary
Commissionerate of Land
Administration Ezhilagam
Chepauk, Chennai-600 005.
2. The District Revenue Officer
Nellukara Street, Kancheepuram
Tamil Nadu 631 501.
3. The District Revenue Officer
Annasalai, VOC Nagar
Chengalpattu, Ammanambakkam
Tamil Nadu 603 001.
4. Mr.Selvaraj
S/o.Late Duraiswamy Naicker
5. Mr.Thiagaraj
S/o.Selvaraj
6. Mr.Balu
S/o.Selvaraj

.....Respondents

Pg.Nos.1/5



W.P.No.35557 of 2023

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the respondent No.2 to abide by the order of the Principal Secretary, Commissionerate of Land Administration (CLA) dated 12.01.2017 and thereby take criminal actions against Mr.Thiagarajan, S/o.D.Selvaraj and Mr.Balu, S/o.D.Selvaraj.

For Petitioner : Lieutenant Colonel Ganesan .S
For Respondents : Mr.R.Vigneshwaran
Government Advocate, for R1 to R3
Mr.N.Poovanalingam
for R4 and R5
R6 - No appearance

ORDER

This writ petition has been filed seeking for a Mandamus to direct the respondent No.2 to comply with the order dated 12.01.2017 passed by the Principal Secretary, Commissionerate of Land Administration (CLA) and thereby, take criminal actions against the respondent Nos.5 and 6.

2. It is seen that the petitioner's mother has filed a partition suit in O.S.No.693 of 2000 before the District Munsif Court, Alandur. It is not in dispute that the said suit is still pending. During the pendency of the Civil



W.P.No.35557 of 2023

Suit, the revenue records were mutated and Patta Nos.5533 and 5587 were transferred in the name of the respondents 4 and 5. Hence, the petitioner submitted a petition dated 12.01.2016 to the Principal Secretary, CLA and vide proceedings dated 12.01.2017, CLA directed the District Revenue Officer, Kancheepuram (presently DRO, Chengalpattu) to cancel the Patta Nos.5533 and 5587 and to initiate criminal actions against the concerned individuals involved in the commission of illegal patta conversion.

3. Needless to say that when the Civil Suit is pending, it is for the petitioner to agitate all his rights before the Civil Court and establish the same and thereafter, to approach the revenue officials seeking for alteration of the revenue records. Without doing so, the petitioner has given the above representation and consequently, filed the present writ petition seeking for a direction as stated supra. Under the above stated facts and circumstances, this Court is of the view that the relief sought for in this writ petition is not maintainable and accordingly, the writ petition is dismissed, without expressing any view on the merits of the claim made by the petitioner, however, by granting liberty to the petitioner to agitate the matter and work out his remedy before the competent Civil Court. Since the civil suit in



W.P.No.35557 of 2023

O.S.No.693 of 2000 is pending from the year 2000, the District Munsif Court, Alandur, is directed to dispose of the suit as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

31.01.2024

Note : Issue Order Copy by 05.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No
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To

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Tamil Nadu 603 001.

P.VELMURUGAN, J.

Pg.Nos.4/5



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W.P.No.35557 of 2023

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W.P.No.35557 of 2023

31.01.2024

Pg.Nos.5/5