



W.P.No.34296 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.34296 of 2024

&

W.M.P.No.37161 of 2024

Subramaniyan

...Petitioner

Vs.

1.The Thasildar,
Veppanthattai Taluk,
Veppanthattai & Post,
Perambalur District.

2.S.Balamurugan
...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus forbearing the first respondent from modifying the revenue records and granting joint patta in favour of the second respondent in respect of the lands in S.F.No.80/13B1 of V.Kalathur Village and S.F.Nos.106/5, 107/10, 107/9, 107/6, 107/11A and 107/12A of



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Pimbalur Village, Veppanthattai Taluk, Perambalur District till the disposal of the final decree application in I.A.No.1 of 2024 in O.S.No.1 of 2012, on the file of the Principal District Judge, Perambalur.

For Petitioner : Mr.S.Kamadevan
For R1 : Mr.A.Selvendran
Special Government Pleader

ORDER

The grievance of the petitioner is that, without a final decree being passed in the partition suit, steps have been taken by the second respondent to mutate the revenue records and to include his name as a joint pattadhar in respect of the property, which is the subject matter of the partition suit in O.S.No.1 of 2012 before the Principal District Judge, Perambalur. The petitioner is therefore sought to restrain the first respondent from mutating the revenue records and issuing patta till the disposal of the final decree proceedings and the share of each party being demarcated.



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2. Heard the learned counsels and perused the records.

3. The Revenue Authorities cannot proceed with an enquiry relating to the issuance of patta, when the suit for partition is pending. Till such time, the parties are allotted specific properties under the final decree proceedings, the first respondent cannot take it upon himself to issue a patta, as the right of the party and the extent of which he would be entitled is yet to be decided.

4. Therefore, considering the fact that the final decree proceedings are pending, the first respondent shall not pass any orders modifying the revenue records or granting a joint patta in favour of the second respondent in respect of the properties comprised in S.F.No.80/13B1 of V.Kalathur Village and S.F.Nos.106/5, 107/10, 107/9, 107/6, 107/11A and 107/12A of Pimbalur Village, Veppanthattai Taluk, Perambalur District, till the disposal of the final decree application in I.A.No.1 of 2024 in O.S.No.1 of 2012 on the file



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of the Principal District Judge, Perambalur.

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5. With the above direction, the Writ Petition is allowed.

Consequently, the connected miscellaneous petition is closed. No costs.

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Index : Yes/No
Internet : Yes/No
Lpp

To

The Thasildar,
Veppanthattai Taluk,
Veppanthattai & Post,
Perambalur District.



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