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W.P.(MD)NO.951 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.951 of 2023 AND
W.M.P.(MD)No.890 of 2023

U.Sudalai Muthu

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District, Tirunelveli.
2. The Revenue Divisional Officer,
Tirunelveli Division, Tirunelveli.
3. The Zonal Deputy Tahsildar,
Palayamkottai, Tirunelveli District.
4. Madasamy
5. Palayamkottai Catholic Marai Mavattam,
Rep. by its Procurator,
Antonychamy.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent made in Ni.Mu.No.A3/1224/2022 dated 30.12.2022 and quash the same as devoid of merits and consequently restore the name of the petitioner in patta No.958 and 3953 with reference to survey No.156/1 and 180/8 of Rettiyarpatti Village, Palayamkottai Taluk, Tirunelveli District, without due process of law.



For Petitioner : Mr.Ananth C.Rajesh
For R-1 to R-3 : Mr.D.Gandhiraj,
Special Government Pleader.
For R-5 : Mr.H.Arumugam
For R-4 : Mr.J.Barathan,
for Mr.G.Vidhyamaheswaran.

* * *

ORDER

Heard both sides.

2. The case on hand pertains to survey No.180/8 at Rettiyarpatti Village in Tirunelveli District. The petitioner had purchased the property vide sale deed dated 11.03.2022 from one Venkatesan and Muthu Kumar. Their names are found in the revenue records. Questioning the same, the fourth respondent filed an appeal before the Revenue Divisional Officer. Likewise, the fifth respondent filed an appeal questioning the petitioner's inclusion in respect of survey No. 156/1. The appeal was allowed. Challenging the same, the present writ petition came to be filed.

3. The petitioner made it clear that the scope of the writ petition can be confined only to survey No.180/8. The fourth respondent



filed typed set of papers. The revenue record in respect of Rettiyarapatti

Village prior to UDR has been enclosed. It clearly mentions the name of

one Veerachamy Reddiar. Veerachamy Reddiar had sold the property in

favour of Subbaiah Chettiar. Subbaiah Chettiar as well as his wife passed

away. The fourth respondent is none other than the son of Subbaiah

Chettiar. The fourth respondent has placed materials before me tracing

title through the entries in the revenue record. But the petitioner is not

able to demonstrate as to how his vendor's name found place in the

revenue record were entered in the revenue record in the year 2022.

Therefore, the Revenue Divisional Officer was justified in allowing the

appeal filed by the fourth respondent. If the petitioner is still having any

grievance, he must necessarily go only before the jurisdictional civil

Court. The writ Court cannot interfere. Granting liberty to the petitioner

to move the jurisdictional civil Court, this writ petition stands dismissed.

No costs. Consequently, connected miscellaneous petition is closed.

19.03.2024

Index : Yes / No

Internet : Yes/ No

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To:

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Tirunelveli District,
Tirunelveli.
2. The Revenue Divisional Officer,
Tirunelveli Division,
Tirunelveli.
3. The Zonal Deputy Tahsildar,
Palayamkottai,
Tirunelveli District.



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G.R.SWAMINATHAN,J.

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