



Writ Petition No.2724 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.2724 of 2025

M.Tulasimani

W/o.Late Mahendran

... Petitioner

Vs.

1. The District Revenue Officer,
Office of the Compound of Collector,
Coimbatore, Coimbatore.
2. The Revenue Divisional Officer – North
Coimbatore.
3. The Tahsildar – North
Coimbatore,
Dr.Balasundram Road,
Coimbatore – 641 018.
4. P.Balasubramaniam
Son of P.Palanisamy
5. S.Muthu Kumar
Son of Sennimalai Gounder
- 6.P.Duraisami
Son of Palanisamy
- 7.S.Selvanayagi
Wife of B.Balasubramaniam
- 8.Natarajan
Son of Kandasamy Gounder

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to cancel the patta issued in favour of respondents 4 to 8 in patta No.4886 dated 26.11.2021 on the basis of petitioner's representation dated 08.12.2021 within a time limit as fixed by this Court.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.A.Selvendran
Special Government Pleader [R1 to R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to consider the representation made by the petitioner on 08.12.2021 wherein the petitioner is seeking for cancellation of patta issued in favour of respondents 4 to 8 in patta No.4886 dated 26.11.2021.

2. Heard Mr.S.Venkatesh, learned counsel for petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing for respondents 1 to 3.

3. In the considered view of this Court, the petitioner and others have filed a substantial suit in O.S.No.709 of 2008 seeking for the relief of declaration of title and for other consequential reliefs. During the pendency of the suit, the property seems to have been alienated by the



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defendants and the persons, who purchased the property applied for patta and patta was transferred in their name. The petitioner is now seeking for cancellation of patta that was granted in the name of subsequent purchasers. The second respondent cannot deal with this issue since the substantial suit is pending before the competent civil Court. Therefore, if the petitioner wants to prevent any further alienation or wants to question the patta granted in favour of subsequent purchasers, such relief can be sought for only in the pending suit and the revenue authority cannot go parallelly into this issue and decide the same. Except giving this clarity, no further orders can be passed by this Court. Liberty is granted to the petitioner to move the appropriate Court.

This writ petition is disposed of with the above direction. No costs.

05.02.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

N.ANAND VENKATESH, J

gm

To



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