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W.P.No.3600 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3600 of 2019

1 S.Ramachandran
2 R.Madheswaran ... Petitioners

Vs.

1 District Revenue Officer,
Namakkal.
2 Sub-Collector,
Namakkal.
3 Tahsildar,
Rasipuram Taluk,
Rasipuram,
Namakkal District.
4 Village Administrative Officer,
Ponkurichi Village,
Rasipuram Taluk,
Namakkal District.
5 M.Periannan
6 P.Ravikumar
7 P.Ramesh

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Pa.Mu.7324/2018(O1) dated



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31.12.2018 on the

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file of the first respondent and quash the same; consequentially direct the respondents 1 to 3 to restore the Patta Nos.219 in respect of Survey No.9/1B and Patta No.220 in respect of Survey No.9/1A of Ponkurichi Village, Rasipuram Taluk, Namakkal District in the petitioners' names, without including the names of the respondents 5 to 7 as joint-pattadhars.

(Prayer amended as per order dated 19.06.2024 in WMP.17228/2024 in WP.3600/2019 by JSNPJ)

For Petitioners : Mr.N.Naganathan
For Respondents : Mr.S.Balamurugan for R1 to R4
Government Advocate
M/s.P.Veena Suresh for R5 to R7

O R D E R

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Pa.Mu.7324/2018(O1) dated 31.12.2018 on the file of the first respondent and quash the same; consequentially direct the respondents 1 to 3 to restore the Patta No.219 in respect of Survey No.9/1B and Patta No.220 in respect of Survey No.9/1A of Ponkurichi Village, Rasipuram Taluk, Namakkal District in the petitioners' names, without including the names of the respondents 5 to 7 as joint-



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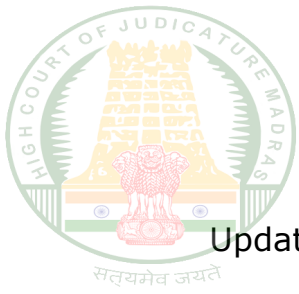
pattadhars.

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2.The learned counsel appearing for the petitioners submitted that the first petitioner is the father of the second petitioner and he purchased the subject properties vide sale deed dated 10.03.1980 registered as document no.379 of 1980 on the file of SRO, Rasipuram and thereafter executed settlement deed dated 06.07.2016 registered as document no.3144/216 on the file of SRO, Rasipuram and patta was also issued in favour of the second petitioner. Whiles, on the basis of the petition given by the sixth respondent seeking to include the names of the respondents 5 to 7 as joint pattadhars, the first respondent passed the impugned order ordering to include the names of the respondents 5 to 7 as joint pattadhars with the names of the petitioners.

3.The learned Government Advocate submitted that on 07.09.2016, the sixth respondent preferred a petition to the Revenue Divisional Officer, Namakkal stating that the co-share of his father in old SF.No.9/3, 9/9 and 9/10 was omitted to be recorded during Updating Registry Scheme and hence his father's name may be included in the pattas and as a work of rectification of defects in

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Updating Registry Scheme, the District Revenue Officer, Namakkal

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took up the matter for enquiry and passed the impugned order on the basis of the sale document no.40/1977 executed on 19.01.1977 by Sengoda Mudaliar Vagaiyara in favour of Muthu Gounder who is the grandfather of the petitioner and hence the impugned order warrants no interference.

4.Heard the arguments advanced on either side and perused the materials available on record.

5.The issue involved in the writ petition is disputed question of fact, which cannot be adjudicated under Article 226 of the Constitution of India. Instead of approaching the competent civil Court for establishment of title, the petitioners have filed this writ petition, which is not sustainable one.

6.In view of the above, this Court, without going into the merits of the case and without interfering with the impugned order, grant liberty to the petitioners to approach the competent civil Court for appropriate remedy. Further liberty is granted to the petitioners to



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make fresh representation before the first respondent for mutation of

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revenue records, if the petitioners succeed in the suit that is to be filed by the petitioners.

7.The writ petition is disposed of on the above terms. No costs.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1 District Revenue Officer,
Namakkal.
- 2 Sub-Collector,
Namakkal.
- 3 Tahsildar,
Rasipuram Taluk,
Rasipuram,
Namakkal District.
- 4 Village Administrative Officer,
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