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W.P.No.7123 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.7123 of 2019

and

W.M.P.No.7851 of 2019 and W.M.P.No.11533 of 2023

P.Rathinasabapathy

... Petitioner

Vs.

1. The District Collector,
Namakkal District,
Office of the District Collector,
Namakkal.

2. The District Revenue Officer,
Namakkal District,
Office of the District Collector,
Namakkal.

3. The Tahsildar,
Tiruchengode Taluk,
Office of the Tahsildar,
Tiruchengode.

4. K.Boopathirajan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution praying to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent in his proceedings P.Mu.19844/2015 (G6) dated 15.02.2019 and quash the same and consequently direct the third respondent to restore the patta Nos.809 in 86, Nagarpalayam Village (Munjanoor) and Patta Nos.3 and 29 in No.89, Mettupalayam Village in the name of the petitioner.

For Petitioner : Mr.M.L.Ramesh

For Respondents: Mr.N.Naveen Kumar,
Government Advocate (for R1 to R3)
Mr.C.Jagadish (for R4)

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent, dated 15.02.2019, thereby cancelling the mutation of revenue records in favour of the petitioner and restoring the patta in the name of the fourth respondent's father.

2. Heard the learned counsel for both sides and perused the materials available on record.



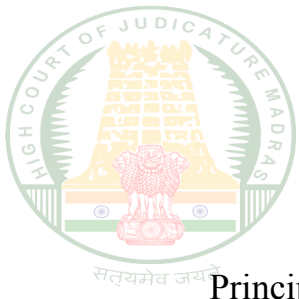
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3. The subject land situated at S.Mettupalayam Village, Tiruchengode Taluk, Salem District, was purchased by the petitioner's mother through a Court auction in R.E.P.No.273 of 1981 in O.S.No.825 of 1966 on the file of the District Munsif Court, Tiruchengode. Thereafter, the revenue records were mutated in her name. Subsequently, she executed a Will, and the same was registered vide Document No.32 of 1997, dated 29.09.1997, thereby bequeathing the properties in favour of the petitioner.

4. Subsequently, the petitioner applied for mutation of revenue records, and accordingly, the properties were changed in the name of the petitioner. Originally, the said property belonged to the fourth respondent's father. The said property was auctioned and purchased by the petitioner's mother. As against the mutation of revenue records, the fourth respondent filed a petition before the first respondent, and after conducting an enquiry, the first respondent restored the properties in the name of the fourth respondent's father.

5. Though the entire order has been challenged before this Court, the fourth respondent filed a suit in O.S.No.16 of 2022 on the file of the



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Principal District Court, Namakkal District, for partition and separate possession in respect of the very same properties. Therefore, the learned counsel for the petitioner submits that the petitioner may be permitted to approach the revenue authorities for mutation of revenue records, subject to the result of the said suit.

6. In view of the above, the petitioner is at liberty to approach the revenue authorities for appropriate relief in respect of the subject properties, subject to the result of the suit in O.S.No.16 of 2022.

7. With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petitions are closed. No costs.

09.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kv



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G.K.ILANTHIRAIYAN, J.

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