



Writ Petition Nos.8307, 8310, 8312, 8314 & 8316 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition Nos.8307, 8310, 8312, 8314 & 8316 of 2025

R.Hemasurya
S/o.Ramasamy ... Petitioner in W.P.No.8307 of 2025

K.Selvaraj
S/o.Kulanthaisamy ... Petitioner in W.P.Nos.8310 & 8312
of 2025

K.Marithas
S/o.P.Krishnasamy ... Petitioner in W.P.No.8314 of 2025

S.Arulkumaran
S/o.K.Selvaraj ... Petitioner in W.P.No.8316 of 2025

Vs.

- 1.The State of Tamil Nadu
represented by its
Secretary to Government,
Commercial Tax Department,
Fort St.George, Chennai - 600 009.
- 2.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
- 3.The Assistant Inspector General,
Registrar, Chennai Range/Special Officer
of Kalaimagal Sabha,
Integrated Building for Commercial Taxes
and Registration Department (South Tower),
Saidapet, Government Farm Village,
Chennai - 35. ... Respondents in all W.Ps.



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Prayer

W.P.No.8307 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the representation dated 03.02.2025 seeking appropriate suitable order to transfer the property in S.No.3 to an extent of 3.82 acres at Parithiyur Village, Ottanchatiram Taluk, Dindugal District, within a time to be stipulated by this Court.

W.P.No.8310 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the representation dated 12.02.2025 seeking appropriate suitable order to transfer the property in S.No.279/2 to an extent of 2.05 acres at Villipalayam Village, Paramathy Velur Taluk, Namakkal District, within a time to be stipulated by this Court.

W.P.No.8312 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the representation dated 12.02.2025 seeking appropriate suitable order to transfer the property situated in S.No.163/2A, to an extent of 2.62 acres at Konur Village, Namakkal Taluk, Namakkal District, within a time to be stipulated by this Court.

W.P.No.8314 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the representation dated 07.02.2025



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seeking appropriate suitable order to transfer the property situated in S.No.116 and S.No.390 to an extent of 6.99 acres at Innamkulathur Village, Srirangam Taluk, Thiruchirapalli District, within a time to be stipulated by this Court.

W.P.No.8316 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the representation dated 12.02.2025 seeking appropriate suitable order to transfer the property situated in S.No.278/2 to an extent of 3.72 acres and S.No.279/3 to an extent of 1.61 acres at Villipalayam Village, Paramathy Velur Taluk, Namakkal District, within a time to be stipulated by this Court.

For Petitioners : Mr.R.S.Anandan
[in all W.Ps.]
For Respondents : Mr.B.Vijay
[in all W.Ps.] Additional Government Pleader

COMMON ORDER

These writ petitions have been filed seeking issuance of a writ of mandamus directing the respondents to consider the representations made by the petitioners on 03.02.2025, 07.02.2025 and 12.02.2025 respectively wherein the petitioners are seeking for transfer of the subject property in their name on the ground that they have been in possession of the subject property from the year 2010 onwards.



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2. Heard Mr.R.S.Anandan, learned counsel for petitioners and

Mr.B.Vijay, learned Additional Government Pleader appearing for respondents.

3. In the considered view of this Court, the relief as sought for in these writ petitions is misconceived. The petitioners had earlier approached the Division Bench of this Court and filed impleading petitions in C.M.P.No.26581 of 2024 *etc.* in W.A.No.472 of 2024. The ground that was raised by the petitioners is found in the affidavits filed in support of the impleading petitions and the same is extracted hereunder:

“8. I further submit that I am in possession of the lands to an extent of 3.82 Acres of land right from the year 2010 onwards. Further I am also paying the levy/penalty right from the year 2020 onwards. Therefore in order to protect my interest and also the interest of members of the Kalaimagal Sabha, the same may be transferred in my name as per the guideline value of the property. I am in possession for more than 14 years without any interference. Therefore, as per law I am entitled for transfer of land on the ground of adverse possession. Likewise, so many extent of lands are in possession and enjoyment of so many persons all over Tamilnadu. Therefore, in the interest of justice and to avoid further litigation and the interest of the members of Kalaimagal Sabha, the land in my possession may be transferred in my name as per the guideline value. Therefore in order to protect my interest, I may be impleaded as a party in the above Writ Appeal. No prejudice would be caused to any of the 1st respondent/appellant. Though I was not a party in the Writ Petition as I was not impleaded as a party, if any adverse order is passed in the above Writ Appeal my right may be affected. Whereas no prejudice would be caused to any of the members of



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the Kalaimagal Sabha if I am impleaded as a party in the above Writ Appeal.”

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4. While dealing with the impleading petitions, the Division Bench dismissed the same by order dated 18.12.2024 and the said order is extracted hereunder:

“The petitioners seek impleading in the appeal. The claim of the petitioners is that they are in possession of the property belonging to Kalaimagal Sabha for the past several years. None of them chosen to reveal any legal or contractual status or a right or a contractual right to be in possession of the property. It is their apprehension that the Administrator of the Sabha will seek eviction. If the Administrator seeks eviction, it is for them to work out their rights in the manner known to law.

2. This appeal is one filed against an order appointing the Special Officers to conduct the affairs of the Sabha. These interlopers who are encroachers of the properties of Sabha have right to get involved in this litigation. Hence, these impleading petitions are dismissed.”

5. In view of the above findings, the petitioners do not have any legal right to maintain these writ petitions.

6. When the above was pointed out to the learned counsel for the petitioners, learned counsel sought for the permission of this Court to withdraw the present writ petitions and has also made an endorsement to that effect.



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N.ANAND VENKATESH, J

gm

Recording the said endorsement, these writ petitions are
dismissed as withdrawn. No costs.

20.03.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

gm

To

- 1.The Secretary to Government,
Commercial Tax Department,
Fort St.George, Chennai - 600 009.
- 2.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
- 3.The Assistant Inspector General,
Registrar, Chennai Range/Special Officer
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