



WEB COPY



W.P.No.7648 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7648 of 2020

P.Rajendran

... Petitioner

Vs.

1.The Revenue Divisional Officer
Gobichettipalayam
Erode District.

2.The Tashildar
Gobichettipalayam Taluk,
Erode District.

3.K.S.Eswaran

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order dated 24.01.2020 made in D.Dis 7706/2019/A2 on the file of the Revenue Divisional Officer, Gobichettipalayam, the first respondent herein and quash the same and consequently direct the respondents 1 and 2 to restore the sub division of the land in S.No.33/1, Senrayampalayam Village, Gobichettipalayam Taluk.



W.P.No.7648 of 2020

For Petitioner : Mr.A.V.Arun
For Respondents : Mr.T.M.Rajangam for R1 and R2
Government Advocate
Mr.S.Kaithamalai Kumaran for R3

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the order dated 24.01.2020 made in D.Dis 7706/2019/A2 on the file of the first respondent and quash the same and consequently direct the respondents 1 and 2 to restore the sub division of the land in S.No.33/1, Senrayampalayam Village, Gobichettipalayam Taluk.

2.The learned counsel appearing for the petitioner submitted that the land in S.No.33/1, Senrayampalayam Village, Gobichettipalayam Taluk measuring an extent of 2 Hectares and 84 Ares was originally owned by Sennimalai Gounder and Nalla Gounder. Out of the said 2 Hectares and 84 Ares of land, an extent of 83 cents stood in the name of Nalla Gounder and the legal representatives of the said Nalla Gounder sold the same to one Periyammal vide sale deed dated 04.08.2008 and patta was also mutated in her favour. Thereafter the petitioner purchased the said 83 cents of land from the



W.P.No.7648 of 2020

said Periyammal and applied for patta to the second respondent. The second respondent passed an order granting separate patta in the name of the petitioner in patta no.829 and subdividing S.No.33/1 into S.No.33/1A and 33/1B. Aggrieved by the same, the third respondent who is the legal heir of Sennimalai Gounder filed objection, pursuant to which, the impugned order was passed.

3.The learned counsel appearing for the petitioner further submitted that the third respondent has already filed a suit in O.S.No.260 of 2020 on the file of the District Munsif Court, Gobichettipalayam in respect of the very same property and the same is pending. Hence, this Court, without going into the merits of the case, may grant liberty to the petitioner as well as to the third respondent/ who succeeds in O.S.No.260 of 2020 to make fresh application before the first respondent for mutation of revenue records and for sub division of the subject property and issue direction to the District Munsif Court, Gobichettipalayam, to decide the suit in O.S.No.260 of 2020 independently, without being influenced by any of the observations made in the impugned Order and without being influenced by any of the observations made in this order.



W.P.No.7648 of 2020

4.Considering the limited relief now sought for by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case and without interfering with the impugned order, grants liberty to the succeeding party/ either the petitioner or the third respondent in O.S.No.260 of 2020 on the file of the District Munsif Court, Gobichettipalayam, to make fresh application for mutation of revenue records and for sub division of the subject property. The District Munsif Court, Gobichettipalayam, is directed to decide the suit in O.S.No.260 of 2020 independently, without being influenced by any of the observations made in the impugned Order and without being influenced by any of the observations made in this order.

5.The writ petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petition, if any, is closed.

15.10.2025

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



W.P.No.7648 of 2020

WEB COPY

To

- 1.The Revenue Divisional Officer
Gobichettipalayam
Erode District.
- 2.The Tashildar
Gobichettipalayam Taluk,
Erode District.



WEB COPY



W.P.No.7648 of 2020

M.DHANDAPANI,J.
pri

W.P.No.7648 of 2020

15.10.2025