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W.P. No.27769 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.27769 of 2016

and

W.M.P. Nos.23956 and 36707 of 2016

V.Padmavathi,

Petitioner

Vs

1. The District Revenue Officer,
Tiruppur, Tiruppur District.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Tirupur.

3.The Executive Officer,
A/m. Visveshwaraswamy,
Visalachiamman and
Subramaniaswamy Thirukovil,
Nallur, Tiruppur District.

4.The Tahsildar,
Tirupur South Taluk,
Tirupur District.

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 20.07.2016 made in Na.Ka. No. 7036/2016/J2 issued by the 1st respondent, quash the same and consequently forbear the respondents from interfering with the petitioner's right to property measuring an extent of 2.70 acres comprised in S. No. 57/2A, Nallur Village, Tirupur District

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For Petitioner : Mr.N. Manokaran

For Respondents : Ms.S. Anitha

Spl. Govt. Pleader for RR1 & 2

Mr. K. Ashok Kumar for R3

ORDER

This writ petition has been filed seeking quashment of the order dated 20.07.2016 made in Na.Ka. No. 7036/2016/J2 issued by the 1st respondent, and consequently forbear the respondents from interfering with the petitioner's right to property measuring an extent of 2.70 acres comprised in S. No. 57/2A, Nallur Village, Tirupur District.

2. It is the case of the petitioner that she claims ownership of the property comprised in Survey No.150 admeasuring 2.70 acres, situate at Nallur Village, Tiruppur Taluk and District. The petitioner's vendor derived title through a registered Sale Deed bearing Document No.933 of 1987 dated 24.03.1987, who in turn had derived title under a sale deed dated 13.08.1966. Subsequently, the land was subdivided and re numbered as S.No.157/2A. It is stated that she claims to be in continuous possession and enjoyment for more than 25 years, having constructed a residential house and residing therein with her family and to establish possession, she relied upon patta, A-Register and other revenue records.

3. While so, the petitioner made a representation seeking mutation of revenue records, which came to be rejected by the 1st respondent by the



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impugned order on the ground that the land belongs to the Temple. Aggrieved by the said refusal, and disputing the temple's claim, the petitioner has already instituted a civil suit in O.S. No.342 of 2023 on the file of the II Additional District Court, Tiruppur, which is pending adjudication. It is stated that earlier she filed writ petition in W.P. No.23185 of 2016, and subsequently an interim order restraining construction activities in the said land was issued, which led to the present proceedings. Feeling aggrieved by the impugned order dated 20.07.2016 issued by the 1st respondent, this writ petition has been filed.

4. Learned counsel for the petitioner submitted that the petitioner is in settled possession based on valid title deeds and that the impugned refusal of mutation involves disputed questions of title. Therefore, he submitted that the impugned order dated 20.07.2016 issued by the 1st respondent is illegal and the same has to be quashed. On the aforesaid score, he prays for allowing of this writ petition.

5. However, learned Special Government Pleader appearing for the respondents 1 and 2 submitted that mutation cannot be granted when title is disputed and that the petitioner has an effective alternate remedy before the civil court. Since already the issue is pending before the civil court viz., on the file of the II Additional District Court, Tiruppur in O.S. No.342 of 2023 , the



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petitioner may agitate the issue before the said Court. Hence, he prayed for issuance of appropriate directions in the above regard.

6. Responding to the aforesaid submission, learned counsel for the petitioner seeks liberty may be granted to the petitioner to agitate her rights before the Civil Court in O.S. No.342 of 2023 and thereafter submit a fresh application for mutation. In the light of the above, he seeks for issuance of suitable directions.

7. Admittedly, the dispute relates to title, which is already pending adjudication in O.S. No.342 of 2023 and in such view, this Court is not inclined to examine the same in writ jurisdiction. However, the petitioner is granted liberty to pursue the civil suit and thereafter make a fresh application for mutation of revenue records and if any such application is filed, the competent authorities shall consider the same, in accordance with law.

8. The writ petition is disposed of with the above liberty. No costs. Consequently, connected miscellaneous petitions are closed.

14.11.2025

Index : Yes / No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2



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M.DHANDAPANI, J.

vsi2

To

1. The District Revenue Officer,
Tiruppur, Tiruppur District.

2. The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Tiruppur.

3. The Executive Officer,
A/m. Visveshwaraswamy,
Visalachiamman and
Subramaniaswamy Thirukovil,
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