



Writ Petition No.10614 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.10614 of 2025

and

W.M.P.No.11937 of 2025

M.Karuppannan
S/o Manna Gounder No 1/158
Puthukattupudur
Eswaramurthipalayam Post Office
Rasipuram Taluk Namakkal District

Petitioner

Vs

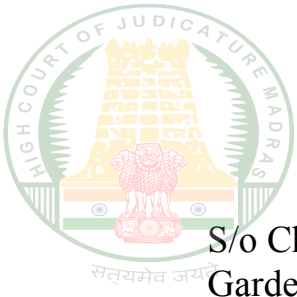
1. The District Revenue Officer
Namakkal District, Namakkal.

2.The Revenue Divisional Officer
O/o Revenue Divisional Officer,
Namakkal, Namakkal District.

3.The Tahsildar
Rasipuram Taluk,
Namakkal District.

4.C. Kaadaiammal
W/o Chinnathambi Kusepattiyar
Garden, Puthukattupudur,
Eswaramurthipalayam Post Office,
Rasipuram Taluk, Namakkal
District 636 202.

5.C. Govindan



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S/o Chinnathambi Kusepattiyar
Garden, Puthukattupudur,
Eswaramurthipalayam Post Office,
Rasipuram Taluk, Namakkal
District 636 202.

6.C. Sundram
S/o Chinnathambi Kusepattiyar
Garden, Puthukattupudur,
Eswaramurthipalayam Post Office,
Rasipuram Taluk, Namakkal
District 636 202.

7.C. Kaniveeran
S/o Chinnathambi Kusepattiyar
Garden, Puthukattupudur,
Eswaramurthipalayam Post Office,
Rasipuram Taluk, Namakkal District
636 202.

8.S. Karthika
S/o Selvam Milk Man Pachamuthu
Garden, Puthukattupudur
Eswaramurthipalayam Post Office,
Rasipuram Taluk, Namakkal
District 636 202.

9.S. Manoharan
S/o Selvam Milk Man Pachamuthu
Garden, Puthukattupudur
Eswaramurthipalayam Post Office,
Rasipuram Taluk, Namakkal
District 636 202.

Respondent(s)

Writ Petition filed under Article 226 of the Constitution of
India seeking issuance of a Writ of Certiorarified Mandamus Calling for



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the records of the Respondents, pertaining to the Impugned order of the 2nd Respondent herein in Mu.Mu.1598/2023/A6, dated 13.02.2025 and quash the same and consequently, direct the Respondents 1 to 3 herein to forthwith sub-divide the land in S. No 197/1 of Eswaramurthipalayam Village Rasipuram Taluk, Namakkal District in accordance with the Registered Partition Deed dated 17.05.1983 and the Sale Deed dated 27.10.1983 by cancelling the incorrect UDR subdivision Sketch No 23.

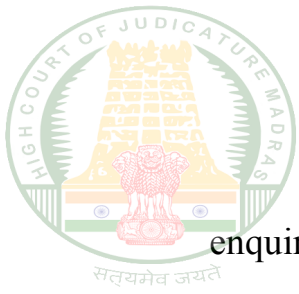
For Petitioner : Mr.N.Kolandaivelu
For Respondents : Mr.P.Sathish
Additional Government Pleader
for R1 to R3

ORDER

This writ petition has been filed challenging the proceedings of the second respondent dated 13.02.2025 and for consequential direction to the respondents 1 to 3 to subdivide the property in S.No.197/1 of Eswaramurthipalayam Village Rasipuram Taluk, Namakkal District by cancelling incorrect UDR subdivision sketch No.23.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 to 3.

3. It is seen from the records that already all the relevant reports were submitted before the respondents 2 and 3 after conducting

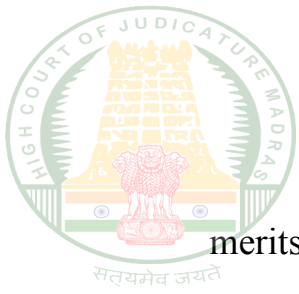


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enquiry and when the first respondent was considering the same for making necessary corrections, a suit came to be filed by the petitioner against the respondents 4 to 9 with respect to a pathway dispute. The first respondent rejected the claim made by the petitioner seeking for correction by taking note of the pending suit and without going into the various reports that were filed by the respondents 2 and 3. Aggrieved by the same, the present writ petition has been filed before this Court.

4. The learned counsel for the petitioner submitted that if ultimately, the first respondent acts upon the representation made by the petitioner along with reports that have already been submitted by the respondents 2 and 3 and passes orders, nothing will survive in the suit and therefore, the petitioner is willing to withdraw the suit and the learned counsel for the petitioner requested this Court to remand the matter back to the file of the first respondent to pass fresh orders.

5. In the light of the above submission made by the learned counsel for the petitioner, there shall be a direction to the petitioner to withdraw the suit that has been filed in O.S.No.44 of 2024 pending on the file of the District Munsif Court, Rasipuram. The matter is remanded back to the file of the first respondent and there shall be a direction to the first respondent to deal with the claim made by the petitioner on its own



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merits and in line with the reports that have already been submitted by the respondents 2 and 3 and final orders shall be passed within a period of eight weeks from the date of receipt of a copy of this order. The petitioner, after withdrawal of the suit shall inform the same to the first respondent.

In the result, this Writ Petition is allowed with the above directions. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

26.03.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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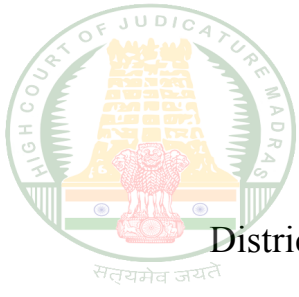
To

To

1.The District Revenue Officer
Namakkal District, Namakkal

2.The Revneue Divisional Officer
O/o Revneue Divisional Officer,
Namakkal, Namakkal District

3.The Tahsildar
Rasipuram Taluk, Namakakl



District

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N.ANAND VENKATESH, J

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