

Writ Petition No.21342 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 17.06.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21342 of 2025

and

W.M.P.Nos.24085 & 24088 of 2025

Kesavan
S/o.Late Jayaraman

Petitioner

Vs

1. Kumaresan
S/o.O.M.Perummal

2.Eswari
D/o.Kanagaraj

3.Ammu
D/o.Kanagaraj

4.Vidya
D/o.Kanagaraj

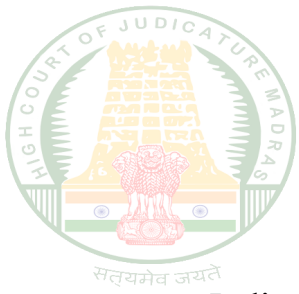
5.Rajendnran
S/o.O.M.Perummal

6.Girija
D/o.O.M.Perummal

7.Monoharan
S/o.O.M.Perummal

8.The Revenue Inspector,
Vaniyambadi, Tiruppathur District.

Respondents



Writ Petition No.21342 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for records of the Honourable the Subordinate Court, Vaniyambadi, Thiruppathur District, quash its impugned order dated 11.08.2022 in O.S.No.155/2022 and consequently, forbear the eighth respondent from changing any revenue records of the land situated at Mariyamma Koil Street, Uthayethiram Village, Madurai, Mettupalayam Village, Vaniyambadi Taluk, Thiruppathur District, in Survey No.598/9, Old Survey No. 517/3 in total 2476 Sqr feet in case respondents 1 to 7 producing any documents for mutation of records.

For Petitioner : Mr.I.Arockia Selvaraj

For Respondents : Mr.G.Velu
Additional Government Pleader [R8]

ORDER

This writ petition has been filed challenging the judgment and decree passed by the Sub Court, Vaniyambadi, Vellore District, in O.S.No.155 of 2022 dated 11.08.2022 on the ground that a fraud was played and a decree was obtained.

2. Heard Mr.I.Arockia Selvaraj, learned counsel for petitioner and Mr.G.Velu, learned Additional Government Pleader appearing for eighth respondent.



Writ Petition No.21342 of 2025

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3. The issue as to whether this Court exercising its writ jurisdiction under Article 226 of the Constitution of India can correct or reverse the civil judgments was referred to the Constitution Bench in ***Radhey Shyam and another v. Chhabi Nath and others* [(2009) 7 MLJ 177 (SC)]**. Ultimately, the Larger Bench of ***Radhey Shyam and others v. Chhabi Nath and others* [2015 (2) CTC 334]** held that this Court cannot invoke writ jurisdiction under Article 226 of the Constitution of India and only Article 227 of the Constitution of India can be invoked in this regard. In view of the above judgment, the relief as sought for by the petitioner cannot be granted. It is left open to the petitioner to work out his remedy by filing an appropriate petition in accordance with law.

This writ petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petitions are closed.

17.06.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To
The Revenue Inspector,
Vaniyambadi,
Tiruppathur District.



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Writ Petition No.21342 of 2025

N.ANAND VENKATESH, J

gm

Writ Petition No.21342 of 2025

17.06.2025