



W.A.No.1714 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 11.07.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A.No.1714 of 2025 and
C.M.P.No.12998 of 2025

1. G.Bhagavan Doss
2. Mrs.Latha
3. B.Rajesh
4. B.Madan
5. Kishore G.Lundh
6. Mrs.Rekha K.Lundh
7. N.Manikandan
8. Nithyanantham

... Appellants/Respondents 5 to 12

-VS-

1. C.Kandhasamy

... Respondent/Petitioner

2. The District Collector,
Coimbatore District Collector Office,
Coimbatore-641 018.
3. The Revenue Divisional Officer,
North Zone, Coimbatore District,
Revenue Divisional Office, Kavundampalayam,
Coimbatore- 030.
4. The Tahsildhar,
Coimbatore North Zone Tahsildhar Office,
Dr.Balasundaram Road, Coimbatore-641 018.



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5. The Tahsildhar,
Annur Tahsildhar Office,
Annur Circle, Coimbatore

... Respondents/R1 to R4

Prayer: Writ Appeal is filed under Clause 15 of the Letters Patent, seeking to set aside the order passed by the learned Judge in W.P.No.8414 of 2025 dated 13.03.2025.

For Appellants	: Mr.R.N.Amarnath
For R1	: Mr.S.Mahaveer Shivaji
For R2 to R5	: Mr.R.Kumaravel
	Addl. Govt. Pleader

ORDER

(By *J.Nisha Banu,J.*)

A challenge in the Writ Appeal is to the order dated 13.03.2025 passed in W.P.No.8414 of 2025, by which, the Writ Petition was disposed of with a direction to the 2nd respondent therein to deal with the representation of the petitioner dated 09.09.2024 on its own merits and in accordance with law.

2. It is the case of the appellants that the appellants 1 to 4 purchased the property in question from one Rangasamy Konnar and his sons vide Doc.No.1750 of 1983 on 09.09.1983. While so, one Mahalakshmi and three others, claiming to be the legal heirs of late Kali Konnar filed



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O.S.No.641 of 2021 before the Principal District Judge, Coimbatore and sought for declaration of documents as null and void. The suit was rejected by the learned District Judge and after dismissal, again another suit was filed in O.S.No.155 of 2024 before the District Munsif Court, Annur to declare the documents covered under O.S.No.641 of 2021 as null and void, against which C.R.P.No.2786 of 2024 was filed before this Court to struck off the plaint. The said revision petition was allowed on 09.04.2025. The another suit filed in O.S.No.1736 of 2010 was dismissed as withdrawn.

3. It is further case of the appellants that in the meanwhile, the Writ Petitioner, without having any right or title, filed W.P.No.8414 of 2025 for considering his representation dated 09.09.2024 in respect of transfer of patta, which was disposed of by this Court on 13.03.2025. Pursuant to the order, the 3rd respondent is taking steps to hold an enquiry, which would cause much hardship to the appellants. Hence, the order dated 13.03.2025 of the learned Single Judge is challenged in this Writ Appeal.

4. Learned counsel for the appellants submitted that the Writ



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Petitioner himself admitted in the affidavit filed in support of the Writ Petition that the appellants are in occupation of the ancestral properties and the Writ Petitioner failed to produce any document, naming any of his ancestors and the document under which his ancestors got title over the property.

5. Learned counsel for the 1st respondent / Writ Petitioner contended that the property, being an ancestral property was inherited by the Writ Petitioner along with others and the appellants influenced the revenue officials and altered the records. Learned Single Judge, finding that there was some fishy played by the respondents therein in the mutation of records, rightly directed to consider the representation of the petitioner, which does not require any interference by this Court.

6. Heard the learned counsel on either side and perused the documents available on record.

7. It is seen that the 1st appellant is 88 years old and already



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there were several civil litigations between the parties. Normally, when there was a dispute over the ownership of the property, a firm decision cannot be taken by the revenue authorities in respect of issuance or transfer of patta, even though they are custodian of revenue records. At this juncture, it is stated by the learned counsel for the appellants that as of now, no civil litigation is pending before any Civil Court, relating to the property in question.

8. It is pertinent to mention here that already the parties had approached the Civil Court in respect of the subject property. The Civil Court had also passed a judgment and decree in one way or the other and brought the issue to a standstill, which is evident from the reading of the affidavits of writ petitions and Writ Appeal. At this stage, issuing a direction under Article 226 of the Constitution of India in the case of purely civil in nature, may not be appropriate. Hence, we are of the view that the parties are at liberty to approach the appropriate Civil Forum to redress their grievances.

J.NISHA BANU, J.
AND



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M.JOTHIRAMAN, J.

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9. With the above observation, the Writ Appeal is disposed of,

directing the parties to agitate their rights before the Civil Court, if so desired, to sort out the issue and in case, any case is filed before the Civil Court, the same shall be decided on its own merits and in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

(J.N.B.J.,) (M.J.R,J.,)
11.07.2025

Index: Yes / No

Internet: Yes / No

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