



WP.No.19608 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 29.05.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

W.P.No.19608 of 2025
and W.M.P.Nos.21971 and 21972 of 2025

1. K. Velusamy

2. G. V. Saranya

.. Petitioners

Versus

1. The District Collector,
Coimbatore District Collector Office,
Coimbatore – 641 018.

2. The District Revenue Officer,
Coimbatore District.

3. The Revenue District Officer,
Coimbatore District.

4. The Tahsildar,
Coimbatore North Taluk,
Coimbatore District – 641 018.

5. R. Visalakshi

6. M. Sanjeev

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying

to issue a Writ of Certiorarified Mandamus to call for the records of the second



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respondent, District Revenue Officer, Coimbatore District relating to his notice

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bearing number No.Ka.2432948/2024/E1, dated 25.04.2025 and quash the same and consequently direct the 2nd respondent not to proceed with enquiry with respect to property situate at S.F.No.350/1Part (now T.S.No.40/1) and S.F.No.352 (now T.S.No.40/2) Part Ganapathy Village, Ganapathy Taluk, Coimbatore, till disposal of the civil suits.

For Petitioner : Mr.Sam Jayaraj Hoston
for M/s.Sarvabhauman Associates

For Respondent : Mr. S. J. Mohammed Sathik
Nos.1 o 4 Government Advocate

ORDER

This writ petition has been filed to issue a writ of certiorarified mandamus to quash the notice bearing number Na.Ka.2432948/2024/E1 of the 2nd respondent dated 25.04.2025 and direct the 2nd respondent not to proceed with enquiry with respect to the property situates at S.F.No.350/1part(now T.S.No.40/1) and S.F.No.352(now T.S.No.40/2) part Ganapathy Village, Coimbatore until the disposal of the civil suits.

2. The case of the petitioner is that the suit property measuring 80 cents in S.f.No.352, T.S.No.40/2, which was originally part of a larger inherited and partitioned among legal heirs, was purchased by the petitioners through valid



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sale deeds and they are in peaceful possession since. In February 2012, during recovery proceedings initiated by Central Bank of India over adjacent lands mortgaged by one A.Duraisamy, the bank officials wrongfully attempted to trespass the petitioner's property. The petitioner filed O.S.No.1646 of 2012 on the file of the District Munsif, Coimbatore seeking declaration that the 5th respondent Bank is not entitled to interfere with the suit property. The actual extent owned by Duraisamy is 86 cents, not 1.66 acres as claimed by the Bank. The said suit is pending. Despite this, the Bank auctioned and sold the mortgaged property to the 5th respondent and her late husband, who subsequently obtained patta over the disputed property without notice to the petitioner. Hence, the petitioner filed O.S.No.602 of 2014 on the file of the I Additional District Munsiff, Coimbatore for permanent injunction along with an application in I.A.No.946 of 2014 for interim injunction, in which, the learned Judge passed an order of interim injunction till the disposal of the suit. Despite the same, in the year 2022, the 4th respondent Tahsildar erroneously granted joint patta to the respondents 5 and 6, which was challenged subsequently and was set-aside by the 3rd respondent Revenue Divisional Officer in the year 2024. Against which, the respondents 5 and 6 preferred revision before the 2nd respondent District Revenue Officer, who issued the present impugned notice calling for enquiry over the disputed properties. Hence, the present writ petition has been filed.



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3. The learned counsel for the petitioner would submit that despite the pendency of civil proceedings, the revenue authorities ought not to have conducted parallel proceedings. Therefore, the proceedings of the revenue authorities, if allowed to be proceeded parallely would cause irreparable harm and confusion in the pending civil proceedings.

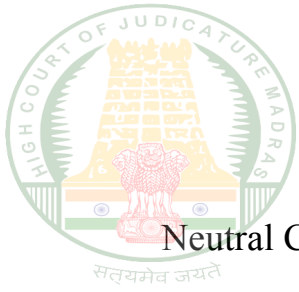
4. The learned Government Advocate appearing for the respondents would submit that the 2nd respondent District Revenue Officer is not aware of the pending of the Civil Suit. Until the outcome of the suit, the 2nd respondent will not proceed with the enquiry.

5. Recording the submission made by the learned Government Advocate that the 2nd respondents will not proceed with the enquiry until the outcome of the suit, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

29.05.2025

mrp

Index :Yes/No
Internet :Yes/No

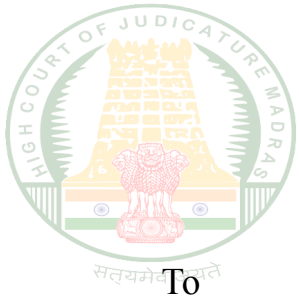


Neutral Citation : Yes/No

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To
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