



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

WP NO. 21067 of 2025

AND

WMP NO. 23821 OF 2025

P.Eswaran
S/o.K.Ponnusamy, 5/185, West Garden,
Koodampatti Village, S.Vallakundapuram Village,
Udumalpet Taluk, Tiruppur District

Petitioner(s)

Vs

1. The Revenue Divisional Officer
Revenue Divisional Office, Udumalpet,
Tiruppur
2. The Tahsildar
Office Of The Tashildar, Udumalpet
3. R.Anitha
D/o.R.Krishnnakumar, Door No.5/142,
S.Vallakundapuram Village, Udumalpet
Taluk, Tiruppur District

Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the respondents from proceedings further based on the 3rd respondent's application seeking for cancellation of patta dated 13.1.2025 issued in favour of the petitioner during the pendency of the civil suit in O.S.No. 494/2024 on the file of the Hon'ble Principal District court, Tiruppur in respect of the lands in S.F.No.422/1 to an extent of 0.23 acres, S.F.No. 423/3A1 to an extent of 1.31 acres, S.F.No.422/3C1 to an extent of 3.09 acres and S.F.No.423/3B to an extent of 0.27 acres aggregating to a total extent of 4.90 acres, situated at S.Vallakundapuram Village, Udumalpet Taluk, Tiruppur District and consequently direct the respondents to keep all the revenue proceedings in abeyance till the finalization of the civil proceedings between the parties based on the representation of the petitioner dated 28.4.2025.



For Petitioner(s) : Mr. N.Umapathi

**For Respondent(s) : Mr. A.Selvendran,
Spl. Govt. Pleader for R1 and R2**



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ORDER

By consent of both parties, the writ petition is taken up for final disposal at the stage of admission itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to 3rd respondent is dispensed with.

2. The Writ Petition has been filed praying for issuance of Writ of Mandamus, forbearing the respondents from proceeding further based on 3rd respondent's application seeking cancellation of patta dated 13.1.2025 issued in favour of the petitioner during the pendency of the civil suit in O.S.No. 494/2024 on the file of the Hon'ble Principal District court, Tiruppur in respect of lands comprised in S.F.Nos.422/1, 423/3A1, 422/3C1 and 423/3B, measuring an extent of 0.23 acres, 1.31 acres, 3.09 acres and 0.27 acres respectively, aggregating a total extent of 4.90 acres, situated at S.Vallakundapuram Village, Udumalpet Taluk, Tiruppur District and consequently direct the respondents to keep all revenue proceedings in abeyance till finalization of civil proceedings between the parties based on the representation of the petitioner

dated 28.04.2025.

3. It is submitted that a suit came to be filed by the 3rd respondent, challenging the title of the petitioner. The suit is pending before the Principal District Court, Tiruppur in OS.No.494 of 2024. It is submitted by the learned counsel



for the petitioner that during pendency of the above suit, a representation was

submitted by the 3rd respondent on 13.1.2025 before the 1st respondent

seeking cancellation of patta in the name of the petitioner. Petitioner made a

representation dated 28.04.2025 before the 1st respondent seeking no further

action to be taken on the 3rd respondent's application dated 13.01.2025. The

petitioner's apprehension is that the representation of the 3rd respondent may

be considered and orders would be passed by the official respondents without

even hearing the petitioner.

4. The learned Special Govt. Pleader, would submit that before passing any orders on the representation of the 3rd respondent, the petitioner would be heard, which is agreed to by the learned counsel for the petitioner.

5. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondents 1 and 2 to consider the representation dated 28.04.2025 on its own merits and pass appropriate orders in accordance with law, after putting the petitioner, the 3rd respondent and any other interested persons/rival claimants, if any, on notice and after affording them a reasonable opportunity of hearing, as expeditiously as possible. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law. It is always open to the parties including the petitioner as well as the 3rd respondent or any other interested parties or rival claimants to produce all the relevant documents in support of their claims. All rights and contentions of the parties are left open.



With the above direction , this writ petition stands disposed of. No cos



Consequently, the connected miscellaneous petition is closed.

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Index : yes/no
Internet:yes/no
msr

To

1. The Revenue Divisional Officer
Revenue Divisional Office, Udumalpet, Tiruppur.

2. The Tahsildar
Office Of The Tashildar, Udumalpet.



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MOHAMMED SHAFFIQ, J.

msr

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