



W.P.Nos.21402 of 2023 & 2973 of 2025

W.P.Nos.21402 of 2023 & 2973 of 2025

N.ANAND VENKATESH, J.

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Today, the matter is listed under the cause list caption 'FOR BEING MENTIONED' at the instance of learned counsel for petitioner.

2. Heard.

3. Considering the submissions made, this Court directs the Registry to carry out the following corrections in the order dated 05.02.2025 and issue fresh order copy:

(a) In the cause title, respondent No.4 shall be replaced with 'Tmt.M.Suguna, the then Tahsildar, Sulur Taluk, Coimbatore District'.

(b) In paragraph No.5 of the order, 'W.P.No.21410 of 2023' shall be replaced with 'W.P.No.21402 of 2023'.

(c) In paragraph No.7 of the order, '134/1CA and 134/1CB' shall be replaced with '134/1C1A and 134/1C1B'.

(d) In paragraph No.8 of the order, 'Babu' shall be replaced with 'Baby'.

(e) In the postscript, in Sl.No.4, the name 'Mr.Karthikeyan' shall be deleted.

25.03.2025

mk

N.ANAND VENKATESH, J



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W.P.Nos.21402 of 2023 & 2973 of 2025

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25.03.2025



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W.P.Nos.21402 of 2023 & 2973 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition Nos.21402 of 2023 & 2973 of 2025
and WMP Nos.3256 & 3257 of 2025

Karunakaran

.... Petitioner
in W.P.No.21402 of 2023

K.Vasugi

..Petitioner
in W.P.No.2973 of 2025
-Vs-

1.The District Collector
Coimbatore District.

2.The Revenue Divisional Officer
Coimbatore

3.The Tahsildar
Sulur Taluk
Coimbatore District.

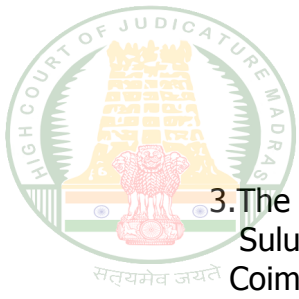
4.Mr.Karthikeyan
The Village Administrative Officer
Neelambur Village
Coimbatore District.

5.Loganathan
..Respondents

in W.P.No.21402/2023

1.The District Collector
Coimbatore District.

2.The Revenue Divisional Officer
Coimbatore



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3.The Tahsildar
Sulur Taluk
Coimbatore District.

4.Mr.Karthikeyan
The Village Administrative Officer
Neelambur Village
Coimbatore District.

5.The Village Administrative Officer
Neelambur Village
Sulur Taluk
Coimbatore District.

6.Mr.Karthikeyan
The then Village Administrative Officer
Neelambur Village
Sulur Taluk
Coimbatore District.

7.The Sub Registrar
Office of the Sub Registrar
Sulur Taluk
Coimbatore District.

8.Mr.Loganathan

9.Mrs.Jothimani

10.Mrs.baby

11.Mrs.M.Rajeswari

12/Mrs.Kanithamani

13.Mrs.A.Backiyam

..Respondents
in W.P.No.2973/2025

Prayer in WP.No.21402of 2023:

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents 1 to 3 restore the Patta No.4452 to petitioner's name in respect of the property bearing Survey No.134/1C1 to an extent of Punjai Acre 0.25 3/4 situated at



W.P.Nos.21402 of 2023 & 2973 of 2025

Neelambur Village, Sulur Taluk , Coimbatore District and further direct them to take necessary disciplinary proceedings against the 4th respondent and others for the alleged misconduct in their duty based on the petitioner's representation dated 19.06.2023 in accordance with law within the time limit to be stipulated by this Court.

Prayer in WP.No.2973 of 2025:

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 2nd respondent and the 3rd respondent to cancel the patta No.6017 and patta No.950 issued as per the proceedings in 2023/ 12/10/ 001005SD dated 21.03.2023 (altering survey No.134/1C1 to 134/ 1C1A and 134/ 1C1B) in respect of the property bearing survey No.134/1C1 (altered from survey No.134/1C1 134/ 1C2 and 134/1C3 to Survey No.134/1C1 vide proceedings in 2023/12/ 10/ 000036CB dated 07.11.2023) and issue patta in the name of the petitioner.

For Petitioner
(Both WPs)

: Mr.C.R.Malarvannan

For Respondents
(W.P.No.21402/2023)

: Mr.P.Sathish
Additional Government Pleader
for R1 to R4
Mr.V.Janarthanan
for R5

(W.P.No.2973/2205)

Mr.P.Sathish
Additional Government Pleader
for R1 to R5

COMMON ORDER

The issue involved in both these writ petitions are common and hence the same is heard and disposed of through this common order.



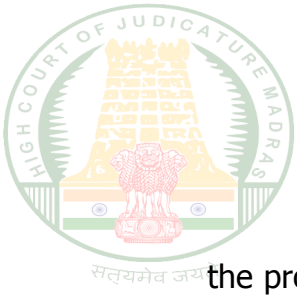
W.P.Nos.21402 of 2023 & 2973 of 2025

2.WP.No.21402 of 2023, has been filed by Karunakaran for the issue of a writ of mandamus directing the respondents 1 to 3 to restore the patta in the name of the petitioner with respect to the subject property and for taking disciplinary proceedings against the Village Administrative Officer.

3.WP.No.2973 of 2025, has been filed by Vasugi who is the wife of Karunakaran for the issue of a writ of mandamus directing the 2nd and 3rd respondents to cancel the patta issued in Patta No.6017 and 950 through proceedings dated 21.03.2023 and to issue patta in name of the petitioner.

4.Heard learned counsel for the petitioners and the learned Additional Government pleader appearing on behalf of respondents 1 to 5.

5.The case of the petitioners is that the property was originally a larger extent of land in Survey No.134/1. Later the property was subdivided into Survey No.134/1A, 134/1B, 134/1C and 134/1D. Thereafter, 134/1C was further divided into 134/1C1, 134/1C2 and 134/1C3. The petitioner in WP.No.21410 of 2023, purchased the land in Survey No.134/1C1 through a registered sale deed dated 29.04.2022 from one Prabhu. The petitioner in WP.No.2973 of 2025, purchased the property in Survey No.134/1C3. There is a common pathway in Survey No.134/1C2 which forms part of both the sale deeds.



W.P.Nos.21402 of 2023 & 2973 of 2025

6.The further case of the petitioners is that after the purchase of the property, the patta was also issued in the name of Karunakaran as a joint patta holder for Survey No.134/1C1. Insofar as Survey No.134/1C3, the patta stood in the name of one Kalikutti who is the vendor of Vasugi.

7.The grievance of the petitioners is that a petition came to be given by one Baby on 21.03.2023 before the Tahsildar and on the very same day the Tahsildar after getting a report from the VAO which was also on the very same day, altered the entire entries. As a result, Survey Nos.134/1C1 was altered to 134/1CA and 134/1CB. Similarly Survey No.134/1C1 was restored as 134/1C1, 134/1C2 and 134/1C3, by proceedings dated 07.11.2023. As a result, the patta that stood in the name of Karunakaran with respect to Survey No.134/1C1, was altered and the name of Karunakaran was removed and the names of others have been included. Insofar as the property that was purchased by Vasugi in Survey No.134/1C3, this survey number was subsumed and it was included in Survey No.134/1C1 and as a result, the request made by the said Vasugi for grant of patta also stood nullified.

8.It is quite evident from the proceedings dated 21.03.2023 and the subsequent proceedings dated 07.11.2023 that the Tahsildar, Sulur Taluk has acted in a hasty manner and it is quite shocking that the application was made on 21.03.2023 by one Babu and the report was submitted by the VAO

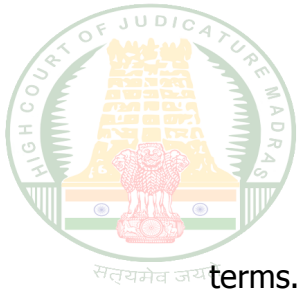


W.P.Nos.21402 of 2023 & 2973 of 2025

on the same day and the proceedings were also issued by the Tahsildar on the very same day. The speed at which these developments took place shows that there is something more than what meets the eye. The proceedings of the Tahsildar is clearly in violation of principles of natural justice since both the petitioners were not put on notice and the entire proceedings has been issued behind the back of both the petitioners.

9.Both the petitioners have purchased the property in Survey No.134/1C1 and Survey No.134/1C3 and the petitioner who purchased Survey No.134/1C1 was in fact issued patta as a joint patta holder. However by virtue of the impugned proceedings, both the petitioners have now been deprived of patta. Therefore, the proceedings dated 21.03.2023 and 07.01.2023 of the Tahsildar, Sulur Taluk has to be necessarily interfered with and the same is hereby set aside. As a result, the original position is restored and patta No.950 and 6017 is hereby cancelled.

10.If the private respondents want the patta to be issued in their favour, they have to make a representation before the RDO, Coimbatore, by placing all the relevant documents. If any such application is made, notice shall be issued to both the petitioners and they shall be heard before any final decision is taken.



W.P.Nos.21402 of 2023 & 2973 of 2025

11.In the result, both the writ petitions are allowed in the above

terms. No costs. Consequently, connected miscellaneous petitions are closed.

05.02.2025

Index : Yes/No

NCS : Yes/No

KP

To

- 1.The District Collector
Coimbatore District.
- 2.The Revenue Divisional Officer
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W.P.Nos.21402 of 2023 & 2973 of 2025

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Writ Petition Nos.21402 of 2023 & 2973 of 2025

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