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W.P.No.34608 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE G.K. ILANTHIRAIYAN

W.P.No.34608 of 2025

M.Nagarajan

... Petitioner

Vs.

1.The Secretary to Government
Revenue And Disaster Management Department,
Tamilnadu Secretariat,
Chennai 600 009.

2.The District Collector
Dindigul District

3.The District Revenue Officer
Dindigul District 624 001.

4.The Dindigul Revenue Divisional Officer
Dindigul

5.The Thasildar
Athur Taluk, Dindigul

6.The District Registrar
Dindigul 624 003.

7.Rajabalguru

8.Pandiayaraj

9.Venkatesh

10.Samson

1/7



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11.Vishuvasanthi

12.Kannan

13.Vellaisamy

14.Sivakumar

15.Vimal Ganesh

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned Executive Proceedings of the 3rd respondent bearing Na. Ka. No. 2242835/2024/A4, dated 20.05.2025 and consequently direct the 1st respondent to quash the same and further direct the 4th respondent Tahsildar, Athur to remove the encroachment by the 7th respondent father R. Srinivasan made in S. No. 212 in an extent of 1.60 acre land at Alamarathupatti village, Athur Taluk of Dindigul District and hand over the same to the petitioner M. Nagarajan, S/o. late V. Meenakshisundaram whose grand-father T. Velliyan Pagadai who purchased the same for a valid consideration from his own brothers vide Doc No. 1251/1935 and got registered on 10.05.1935 before then Dindigul Sub Registrar Office to claim ownership and as well further direct the 6th respondent to cancel the Document number bearing No. 4137/1948 registered before the then Dindigul SRO on November 24, 1948 vide Book I, Vol 947 at pages 451 to 453 without any valid decree by the said Varadharaja @ Varadharaj to claim as title holder of the said lands in the said S.no. 212 based on the bogus Judgement made on 07.04.1948 in OS No. 26 of 1948 by then Dindigul Munsif Court and from whom the 7th



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respondents father R. Srinivasan obtained with an encumbered title deed who thereafter sub-divided the same as S. No. 212/1, 212/1A and so on to cause illegal sale to 8th respondent to 15th respondent and accordingly and pass orders in accordance with law within a time frame that may be stipulated by this Honourable Court and as such pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.A.S.Palanisamy

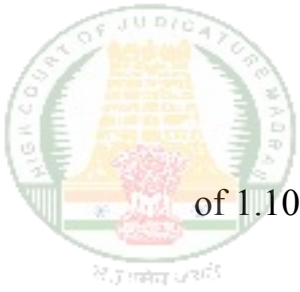
For Respondents : Mr.D.Ravichander, Spl.GP,
for R.1 to R6.

ORDER

This Writ Petition has been filed challenging the order passed by the 3rd respondent dated 20.05.2025, thereby dismissed the revision filed by the petitioner as against the order passed by the 4th respondent.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner claims that his father inherited two agricultural properties from his grandfather. The first property is comprised in Survey No.212, situated at Alamarathupatti Village, Athur Taluk, Dindigul District, measuring an extent of 1.60 acres. The second property is comprised in Survey Nos. 216/7, 217/8, and 218/9, measuring a total extent



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of 1.10 acres, and is also situated in the same village.

4. According to the petitioner, the first item of property comprised in Survey No. 212 was purchased by the petitioner's grandfather under a sale deed dated 10.01.1935, registered as Document No. 1251/1935, for valid sale consideration from his brother Jannan Matheri and his legal heirs. The said property was originally an Inam land granted to Jannan Matheri for his services under the British Government. In so far as the second item of property comprised in Survey Nos. 216/7, 217/8, and 218/9 is concerned, a suit is pending in O.S. No. 81 of 2022.

5. After the demise of the petitioner's father, though the petitioner was frequently visiting the said property, the father of the 7th respondent, one Seenivasan @ R. Seenivasa Chettiar, encroached upon the first item of the property comprised in Survey No. 212. Therefore, the petitioner submitted a representation before the 4th respondent. Upon receipt of the same, the 4th respondent conducted an enquiry and concluded that the property comprised in Survey No. 212 had been issued Patta No. 63 in favour of one A. Dhanalakshmi Ammal, sister of the said R. Seenivasa Chettiar. It was found that the said property had initially been purchased by one Varadharaj under Document No. 4137/1948. Subsequently, it was



purchased by A. Dhanalakshmi Ammal, and later, it was purchased by R.Seenivasa Chettiar, the father of the 7th respondent.

6. Though the petitioner claimed that the 1st item of the property comprised in S.No.212 was an Inam land assigned in favour of the brother of the petitioner's grandfather, namely, Jannan Matheri, from whom his grandfather had purchased the said property, the petitioner failed to produce any document to establish that the said property was gifted to the brother of the petitioner's grandfather. Therefore, the claim of the petitioner was rightly rejected by the 4th respondent and the said order was subsequently confirmed by the 3rd respondent.

7. In so far as the 2nd item of the property comprised in S.Nos.216/7, 217/8, and 218/9 is concerned, a suit is pending which was filed by the counter party, on the file of the Principal District Court, Dindigul. Therefore, if the petitioner succeeds in the said suit, he can very well approach the Revenue Authorities for the mutation of the Revenue Records.

8. In view of the above, I find no infirmity or illegality in the order passed by the 3rd respondent dated 20.05.2025. Accordingly, the Writ Petition stands dismissed. No costs.



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Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No
(shr)

To

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G.K. ILANTHIRAIYAN. J.,

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