



WEB COPY



W.P. No. 21407 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

CORAM

THE HON'BLE Mr. JUSTICE V.LAKSHMINARAYANAN

W.P. No. 21407 of 2017

and

W.M.P. Nos. 22385 & 22386 of 2017

S.R.Govindasamy

... Petitioner

Vs.

1.The Commissioner
Ranipet Municipality
Vellore District.

2.The Muthavalli
Navalpur Jamiya Masjit
Ranipet, Vellore District.

...Respondents

Prayer : This writ petition has been filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified mandamus, calling for records pertaining to the proceeding in Na.Ka.No.3063/2015/A1 dated 22.06.2017 issued by the 1st respondent and quash the same and consequently forbearing the respondents from disturbing the petitioner's possession of the property comprised of T.S. No. 113 and 116, in Ward No.B, Block No.6, measuring about 1748 square feet situated at Door No.35A/2, M.P.T.Road, Ranipet, Vellore District.

For Petitioner : Mr.G.Pugazhenth

For Respondents : Mr.S.Premkumar, GA (R1)
Mr.C.S.Saravanan (R2)

O R D E R



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The petitioner claims to be in possession of the property situated in Old Survey No. 159 part, now Town Survey Nos. 113 and 116, in Ward No. B, Block No. 6, comprised in Door No. 35A/2, M.P.T. Road, Ranipet, Vellore District.

2. The Petitioner pleads that the property was a Minor Inam and converted into a Natham Poramboke in the revised settlement register in the year 1973. The Government issued a Patta bearing No.16 in favour of one, Hakeem Abdulram Sayabu. The Petitioner alleges that Hakeem Abdulram Sayabu died intestate leaving no legal heirs. They deny the averments that Hakeem Abdulram Sayabu had executed a document in favour of Navalpur Jamiya Masjid.

3. The grievance of the petitioner is that, the Muthavalli of Navalpur Jamiya Masjid had approached the first respondent and obtained mutation of revenue records in their favour. Hence, he made a representation seeking cancellation of the revenue entries made in favour of the 2nd respondent.

4. Soon thereafter, the Tahsildar of Wallajabad issued a notice to the



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petitioner, stating that he is an encroacher and has to vacate and handover possession. This notice was issued under Section 7 of the Tamilnadu Land Encroachment Act, 1905. The Tahsildar, despite the reply given by the petitioner on 02.05.2017, confirmed the notice and ordered eviction on 10.05.2017.

5. The petitioner challenged the said order by way of a writ petition in W.P. No. 12987 of 2017, which came to be disposed directing the petitioner to prefer an appeal under Section 10 of the Tamilnadu Land Encroachment Act, 1905. Pending the appeal, the 1st respondent issued a proceeding cancelling the assessment of property tax in favour of the petitioner. Challenging the same, the present writ petition.

6. When the matter came up before me on 01.09.2025, I directed Ms.Meera Arumugham to get instructions from the District Collector, Vellore, as to what happened to the pending appeal. I posted the matter today.

7. When I took up the matter for hearing, Mr.S.Prem Kumar representing Ms.Meera Arumugham brought to my notice, that the Appeal filed by the petitioner came to be dismissed, and a Revision preferred therefrom to the



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Commissioner, Land Administration was also dismissed on 16.12.2017.

Consequently, the orders of eviction having been confirmed, the petitioner cannot claim that the property tax standing in the name of the 2nd respondent should be mutated in his name.

8. It is left open to the petitioner to file a suit claiming title if it is permissible under Law.

9. The writ petition is dismissed. No costs. Connected, miscellaneous petitions are closed.

06.11.2025

Index : Yes/No

Internet: Yest/No

Speaking or Non-speaking order

Maya

To

1.The Commissioner
Ranipet Municipality
Vellore District.

2.The Muthavalli
Navalpur Jamiya Masjit
Ranipet, Vellore District.

V.LAKSHMINARAYANAN, J.



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