

W.P.(MD)No.19602 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 21.07.2025

CORAM :

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)No.19602 of 2025

and

W.M.P.(MD)Nos.15055 and 15057 of 2025

Selvakumar @ Seeman

...Petitioner

Vs.

1.The Additional Chief Secretary /
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai-600005.

2.The District Collector,
Madurai District.

3.The Revenue Divisional Officer,
Madurai District.

4.The Thasildhar,
Madurai East Taluk,
Madurai District.

5.K.Maneshkumar
The Thasildhar,
Madurai East Taluk,
Madurai District.

6.Nandhakumar

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 30.06.2025 made in T.R:2025/24/15/000188SD on the file of the fourth respondent and quash the same as illegal and consequently directing the 1st to 3rd respondents to take severe action against the fifth respondent, on the basis of the Madras High Court order dated 27.07.2023 made in W.P.No.22107 of 2023 in vide circular dated 17.07.2023 has been issued by the Commissioner of Land Administration in Circular No.R1/2005632/2022.

For Petitioner : Mr.R.Udhayakumar

For Respondents : Mr.A.Baskaran
Additional Government Pleader for R1 to R4

ORDER

The Writ Petition is filed challenging the order passed by the fourth respondent mutating revenue records pertains to the property situated in Survey No.121/2 in Mangulam 2nd Pit Village, Madurai East Taluk, Madurai District, in favour of the sixth respondent.

2. Heard the arguments of Mr.R.Udhayakumar, learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader, who takes notice for the respondents 1 to 4. Since



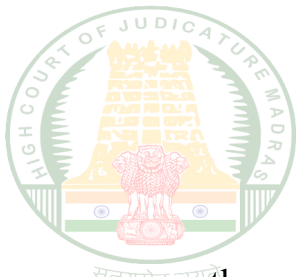
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no adverse order is passed against private respondents, notice to them is dispensed with. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that the subject property is an ancestral property and the same was sold by the petitioner's father and his brothers in favour of the sixth respondent. Aggrieved by the same, the petitioner filed a civil suit in O.S.No.312 of 2024 on the file of the Sub Court, Melur seeking declaration that the sale deed dated 06.09.2024 executed by the petitioner's father and his brothers in favour of the sixth respondent was null and void and other consequential relief. During pendency of the civil suit, the sixth respondent moved the fourth respondent and obtained patta in his favour based on the registered sale deed impugned in the civil suit. Aggrieved by the same, the petitioner has come before this Court.

4. The learned counsel appearing for the petitioner would submit that when the civil dispute between the petitioner and the sixth respondent is pending, the fourth respondent ought not have entertained

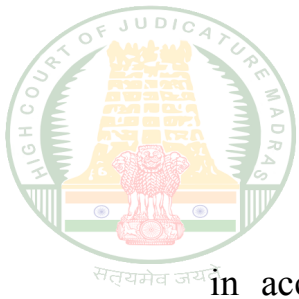


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the application submitted by the sixth respondent seeking mutation of revenue records.

5. The sixth respondent claimed right under the registered document executed by the petitioner's father and his brothers. Based on the registered document, the fourth respondent passed the impugned order mutating the revenue records. A perusal of the revenue records produced by the petitioner would indicate that the revenue records stood in the name of the petitioner's father Solaimalai and his siblings. Since the revenue records did not stand in the name of the petitioner, no notice was ordered to the petitioner by the fourth respondent and based on the registered document produced by the sixth respondent, mutation had taken place and mutation was ordered by virtue of the impugned order.

6. The petitioner filed a civil suit in O.S.No.312 of 2024 challenging the sale deed executed by his father and his siblings. The petitioner has not obtained any interim order restraining the private respondent from mutating revenue records. In the said circumstances, absolutely there is no error on the part of the fourth respondent in acting



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In accordance with the registered document submitted by the sixth respondent. If the petitioner's suit is decreed in his favour and the registered document relied on by the sixth respondent is declared as null and void, it is always open to the petitioner to move the revenue authorities seeking deletion of the sixth respondent from the revenue records. In this circumstances, I do not find any error in the order passed by the fourth respondent. Accordingly, this Writ Petition stands dismissed with liberty to the petitioner to move the revenue authorities based on the civil Court findings. Consequently, connected Miscellaneous Petitions are closed. No costs.

21.07.2025

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

1.The Additional Chief Secretary /
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai-600005.

2.The District Collector,
Madurai District.

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S.SOUNTHAR, J.

csn

3.The Revenue Divisional Officer,
Madurai District.

4.The Thasildhar,
Madurai East Taluk,
Madurai District.

Order made in
W.P.(MD)No.19602 of 2025
and
W.M.P.(MD)Nos.15055 and 15057 of 2025

Dated : 21.07.2025