



W.P(MD)NO.25853 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.25853 of 2022
and
W.M.P(MD)No.19990 of 2022

S.Balasamy

... Petitioner

.Vs.

- 1.The District Revenue Officer,
Karur District,
Karur.
- 2.The Revenue Divisional Officer,
Karur District,
Karur.
- 3.The Tahsildar,
Manmangalam Taluk,
Manmangalam,
Karur District.
- 4.The Taluk Surveyor,
Manmangalam Taluk,
Manmangalam,
Karur District.
- 5.S.Annammal



W.P(MD)NO.25853 of 2022

WEB COPY

6.S.Madhavan

7.K.Ganesanb

8.B.Yuvaraj

9.M.Dhanalakshmi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 3 to rectify the errors crept in the revenue records, particularly, in patta relating to Survey No.40 of Punjai Kadambankurichi Village, Manmangalam Taluk, on the basis of the registered partition deed, dated 13.11.1991 entered into between the Petitioner and respondents 5 and 6 by conducting an enquiry in the proceedings of the third respondent in Na.Ka.A2/2774/2022, dated 27.10.2022 in pursuance of the proceeding of the second respondent in O.Mu.A4/5654/2022(A4), dated 10.10.2022 and on the basis of petitioner's representation, dated 16.09.2022 within the time frame fixed by this Court.

For Petitioner : Mr.K.Suresh

For Respondents : M/s.K.Malathi
1 to 4 Addl.Govt. Pleader

For Respondents : Mr.V.Nagarajan
5,6 and 9

For Respondents : No appearance
8 and 9

ORDER



W.P(MD)NO.25853 of 2022

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The Writ Petition is filed seeking a direction to the respondents 1 to 3 to rectify the error that had crept in the revenue records in respect of the property in S.No.40 situate at Punjai Kadambankurichi Village, Manmangalam Taluk, Karur District by considering the Petitioner's representation, dated 16.09.1992.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.According to the Petitioner, the property in S.No.40 situate at Punjai Kadambankurichi Village, Manmangalam Taluk, Karur District is the ancestral property of the petitioner's family and there was a partition on 13.11.1991. In the said partition, the Petitioner was allotted 3.21 acres of land on the northern portion under 'C' schedule to the partition deed. The respondents 5 and 6 were allotted 3.21 acres on the southern side under 'B' schedule to the partition deed. However, at the time of sub-division and issuance of fresh patta, the extent of the property of the Petitioner was mentioned as 2 acres and 86 cents instead of 3 acres and 21 cents. However, the private respondents were issued with patta for a larger extent of 3.45 $\frac{3}{4}$ cents instead of 3.21 acres. Therefore the Petitioner submitted a representation before the official respondents seeking correction of revenue records with regard to



W.P(MD)NO.25853 of 2022

WEB COPY

the extent. The same has not been considered till date. Hence the Petitioner has come before this Court with the present Writ Petition for the relief stated supra.

4.The learned counsel for the respondents 5,6 and 9 would submit that the Petitioner had already filed a civil suit in O.S.No. 397 of 2022, on the file of Principal District Judge, Karur seeking the relief of declaration and injunction, subsequent to the filing of the Writ Petition, in respect of 3.21 acres allegedly allotted to him in the partition. Hence during the pendency of the civil suit, the prayer sought for in the Writ Petition cannot be countenanced.

5.When the Petitioner had already filed a suit for declaration and injunction in respect of 3.21 acres of land in the subject survey number, he must wait for the result of the suit and based on the civil Court finding, the Petitioner shall approach the revenue authorities, for rectification in the revenue records. Therefore, at this stage, this Court is not inclined to entertain the present Writ Petition. Therefore the Petitioner is at liberty to work out his remedy before the Civil Court, in the manner known to law.

6.It is also brought to the notice by the learned counsel for the Petitioner that an application has been filed by the Petitioner



W.P(MD)NO.25853 of 2022

seeking survey of the subject property and the same has not yet been numbered by the Court below due to the pendency of the present Writ Petition. In view of the disposal of the Writ Petition, it is open to the Petitioner to file an appropriate application before the Civil Court seeking survey of the subject property, if necessary. If such application is filed, the same shall be considered on its own merits.

7.With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

02.07.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

- 1.The District Revenue Officer,
Karur District,
Karur.
- 2.The Revenue Divisional Officer,
Karur District,
Karur.
- 3.The Tahsildar,

5/7



W.P(MD)NO.25853 of 2022

Manmangalam Taluk,
Manmangalam,
Karur District.

4.The Taluk Surveyor,
Manmangalam Taluk,
Manmangalam,
Karur District.

S.SOUNTHAR.,J.

vsn

ORDER MADE IN

W.P(MD)No.25853 of 2022
and
W.M.P(MD)No.19990 of 2022



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W.P(MD)NO.25853 of 2022

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