



W.P.(MD) No.11038 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.11038 of 2017

and

W.M.P(MD)Nos.8459 and 8460 of 2017

V.Raju

... Petitioner

vs.

1.The District Collector,
Collectorate,
Tiruchirappalli.

2.The Revenue Divisional Officer,
Lalgudi, Tiruchirappalli.

3.The Tahsildar,
Manachanallur Taluk,
Tiruchirappalli District.

4.G.Perumal (Died)

5.P.Kanagaraj

6.P.Thirupathi (Died)

7.Arunkumar

... Respondents

[R7 is substituted vide order dated 11.11.2024 in
W.M.P(MD)No.19801 of 2024]



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the third respondent relating to adding the name of the respondents 4 to 6 in Patta No.3200 and quash the same and consequently, direct the third respondent to remove the name of the respondents 4 to 6 in Patta No.3200.

For Petitioner : Mr.R.S.Sivaram

For Respondents : Mr.S.Kameswaran
Government Advocate for R1 to R3

Unclaimed for R5

Private notice unserved for R4 & R6

ORDER

Heard Mr.R.S.Sivaram, learned counsel appearing for the petitioner and Mr.S.Kameswaran, learned Government Advocate appearing for the respondents 1 to 3.

2.The petitioner challenges the impugned order of the third respondent incorporating the names of the private respondents 4 to 6 in Patta No.3200.



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3.The learned counsel for the petitioner would submit that in civil litigation between the petitioner and the private respondents in O.S.No.62 of 2011 on the file of the District Munsif Court, Lalgudi, Judgment and decree came to be passed on 27.09.2011, decreeing the suit of the plaintiff, for a permanent injunction to restrain the defendants therein from interfering with the plaintiff's peaceful possession and enjoyment of the suit property. The said suit has also attained finality and the competent civil Court has found the plaintiff's lawful right to enjoyment of the subject lands to exist as against the defendants therein, whose interests are now represented by the private respondents in this writ petition.

4.The learned Government Advocate appearing for the official respondents 1 to 3, on written instructions from the Tahsildar, dated 23.02.2025, would submit that the private respondents have not been able to establish any subsisting right in the subject lands and therefore, the settlement deed executed based on the inclusion of the private respondents' names in the patta is also not valid in the eye of law. The Tahsildar has also further stated that he is in the process of collecting the revenue records to restore the original names of the petitioner.



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03.03.2025

sjj

NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

1. The District Collector,
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2. The Revenue Divisional Officer,
Lalgudi, Tiruchirappalli.
3. The Tahsildar,
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P.B.BALAJI, J.

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