



WEB COPY

WP No. 1883 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 1883 of 2022
and
WMP.No. 2037 of 2022**

1. D.Krishnamurthy

2. R.Sumathi

..Petitioner(s)

Vs.

1. The Tahsildar,
Tirupur (South) Taluk,
Tirupur.

2. Jeganathan

3. Rasammal alias Rasathal

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of mandamus, forbearing the 1st respondent from mutating the revenue records in respect of land admeasuring about 1.26 acres in Survey Nos. 628/1A, 628/1B and 628/1C and 0.89 acres in Survey No. 628/2B and 1.66 acres in Survey Nos. 629/1A and 629/2A of Nallur Village, Tirupur (South) Taluk, Tirupur District in the name of 3rd respondent exclusively, until completion of the civil suit in O.S.No.432/2020 pending on the file of the Principal District Judge, Tirupur.



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For Petitioner(s):

Mr.R.Bharath Kumar

For Respondent(s):

Mr.T.K.Saravanan

Additional Government Pleader for R1

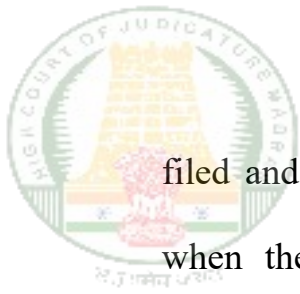
R2 – Notice served – No appearance

R3 – Not ready in notice

ORDER

This Writ Petition has been filed seeking issuance of writ of mandamus, forbearing the 1st respondent from mutating the revenue records in respect of land admeasuring about 1.26 acres in Survey Nos. 628/1A, 628/1B and 628/1C and 0.89 acres in Survey No. 628/2B and 1.66 acres in Survey Nos. 629/1A and 629/2A of Nallur Village, Tirupur (South) Taluk, Tirupur District in the name of 3rd respondent exclusively, until completion of the civil suit in O.S.No.432/2020 pending on the file of the Principal District Judge, Tirupur.

2. The learned counsel appearing for the petitioners would submit that in the present case, the 2nd and 3rd respondents attempting to mutate the revenue records with respect to the subject property while a civil suit filed by the petitioners' mother is pending in O.S.No.432 of 2020 where the 2nd and 3rd respondents also parties. According to the petitioners, the respondents 2 and 3 forged the Will and attempting to mutate the record as if the subject property was provided by the petitioners' grand father to them, when a partition suit was



filed and the said Will is not even disclosed before the civil Court, that too, when the subject properties has also been mentioned for the purpose of partition. Therefore, according to the petitioners, behind the back, the 2nd and 3rd respondents are making an attempt to mutate the revenue records in their names with the help of the 1st respondent.

3. The learned Additional Government Pleader appearing for the 1st respondent would submit that since a civil suit is pending with regard to the subject properties, unless otherwise the rights of the parties are decided, the 1st respondent will not mutate the revenue records.

4. Heard the learned counsel appearing for the petitioners as well as the learned Additional Government Pleader appearing for the 1st respondent. None appeared on behalf of the 2nd and 3rd respondents.

5. Admittedly, a suit for partition filed by the petitioners' mother is pending in O.S.No.432 of 2020 where the 2nd and 3rd respondents also parties to the suit. If at all if there is any Will with regard to the subject properties, since the subject properties are already subject to partition in the above suit, the 2nd and 3rd respondents are supposed to have produced the Will before the civil Court and make a claim and prove that the Will is valid. According to the petitioners, no such Will is produced.



6. In such view of the matter, as the rights of the parties with regard to the subject properties is going to be decided in the civil suit in O.S.No.432 of 2020, this Court directs the 1st respondent to wait until the disposal of the said suit and mutate the revenue records based on the rights of the parties as determined in the said suit.

7. This Writ Petition is disposed of with the above terms. No costs. Consequently, connected miscellaneous petition is closed.

09-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KKN



To

1. The Tahsildar,
Tirupur (South) Taluk,
Tirupur.



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KRISHNAN RAMASAMY, J.

KKN

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