



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

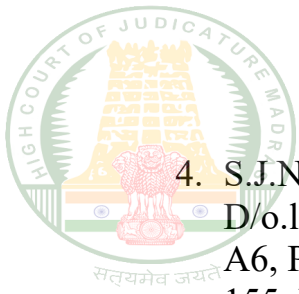
**WP No. 23149 of 2026
and W.M.P.No. 25098 of 2026**

1. K.Jeyakumari
W/o.late.S.S.Krishnasamy,
Residing at D.No.269, SAB Main Road,
Mariamman Kovil Thottam
Athani-638 502
Anthiyur Taluk,
Erode District.
2. A.K.Chandiramowli @ Senthil
S/o.late.Krishnasamy,
Residing at D.No.269, SAB Main Road,
Mariamman Kovil Thottam
Athani-638 502, Anthiyur Taluk,
Erode District.

..Petitioner(s)

Vs

1. The District Revenue Officer
Erode, Erode District.
2. The Sub Collector
Gobichettipalayam,
Erode District.
3. The Tahsildar
Anthiyur, Erode District.



4. S.J.Narmadha
D/o.late.S.S.Krishnasami,
A6, Patteeswarar Vigneshwarar Avenue,
155, Bangaj Mill Road,
Opposite GEM Hospital,
Ramanathapuram,
Coimbatore.

..Respondent(s)

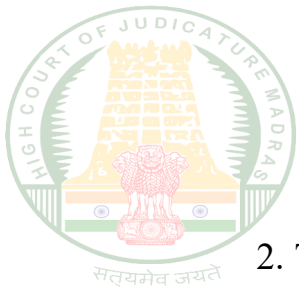
Prayer: This Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Certiorarified Mandamus calling for the recordings relating to the impugned order made in (i) Pa.Mu.8011/ 2024/ A4 dated 13.05.2025 issued by the 2nd respondent and (ii) Pa.Mu. 22719/ 2025/ U3 dated 07.05.2026 issued by the 1st respondent, quash the same and consequentially direct the respondents 1 to 3 not to issue patta till the disposal of the appeal suit.

For Petitioner(s): Mr.R.T.Vishnu

For Respondent(s): Mrs. Inthu Kaarunakaran
Government Counsel for R1 to R3.

ORDER

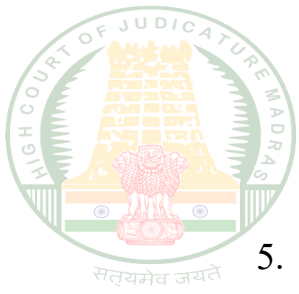
The present Writ Petition has been filed seeking the issuance of a Writ of Certiorarified Mandamus calling for the recordings relating to the impugned order made in (i) Pa.Mu.8011/ 2024/ A4 dated 13.05.2025 issued by the 2nd respondent and (ii) Pa.Mu. 22719/ 2025/ U3 dated 07.05.2026 issued by the 1st respondent, quash the same and consequentially direct the respondents 1 to 3 not to issue patta till the disposal of the appeal suit.



2. The petitioners contend that they have already preferred a First Appeal challenging the final decree proceedings and had requested the respondents not to proceed with the sub-division of the property. However, without considering such request, the respondents proceeded to initiate steps for sub-division based on the final decree proceedings, necessitating the filing of the present Writ Petition.

3. The respondents submitted that the final decree passed by the competent Civil Court remains operative and enforceable. Since the petitioners have neither obtained an order of stay nor secured any interim protection in the appeal proceedings, there is no legal impediment for the authorities to proceed with the sub-division of the property in accordance with the final decree. It was further submitted that in the event the petitioner succeeds in the First Appeal and any modification is made to the final decree, upon such modification attaining finality, the revenue records and sub-division proceedings would be suitably altered in accordance with the modified decree.

4. This Court finds force in the contentions raised by the learned counsel for the petitioners as well as the learned Government Counsel.



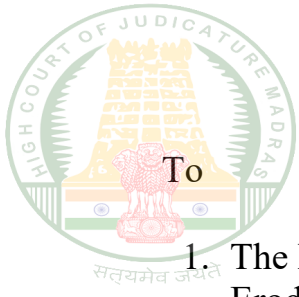
5. Admittedly, a final decree has been passed by the competent Civil Court and the same has not been stayed by the appellate forum. Mere pendency of the First Appeal does not operate as a stay of the decree. In the absence of any interim order restraining the respondents from acting upon the final decree, this Court is not inclined to interfere with the sub-division proceedings undertaken pursuant thereto.

6. Accordingly, the Writ Petition is dismissed. However, it is made clear that in the event, the petitioners succeed in the First Appeal and modified decree attains finality, it shall be open to the petitioners to approach the competent authorities seeking necessary changes in the revenue records and sub-division proceedings. Upon such request, the authorities shall consider the same in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is closed.

18-06-2026

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

Asi



To

1. The District Revenue Officer
Erode, Erode District.

2. The Sub Collector
Gobichettipalayam,
Erode District.

3. The Tahsildar
Anthiyur, Erode District.

WP No. 23149 of 2



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WP No. 23149 of 2



KRISHNAN RAMASAMY, J.

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