



W.P.(MD)No.18759 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.18759 of 2026
and WMP(MD).No.13905 of 2026

1. Pappathi
2. Kavitha

... Petitioners

Vs.

1. The Revenue Divisional Officer,
Illupur Revenue Division,
Pudukottai District.
2. The Tahsildar
Viralimalai Taluk Office,
Viralimalai,
Pudukkottai District.
3. The Head Surveyor
Viralimalai Taluk Office,
Viralimalai
Pudukkottai District.
4. The State of Tamil Nadu
Rep by its The Inspector of police
Viralimalai Police station,
Viralimalai,
Pudukkottai District.



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5. Sakthi

S/o.Vellaisamy

D.No.832, Ezhilnagar

Samathuvapuram, Vadugapatti

Viralimalai Taluk

Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st Respondent to complete the enquiry of Patta Appeal pending on the file of the 1st Respondent vide his proceeding in O.MU.E 3333899/2025/A3 dated 27.05.2025 within time frame fixed by this Court consequently restraining the Respondents from conducting survey of the land in S.F. No. 395/2A2A2A situated at Viralur Village, Viralimalai Taluk, Pudukkottai District, While pending disposal of the Patta Appeal on the file of the 1st Respondent and title suit in O.S.No. 71 of 2025 on the file of the Sub Court Keeranur.

For Petitioners : Mr.T.Vadivelan

For Respondents : Mr.I.Pinaygash
Counsel for the State of Tamil Nadu
(For R1 to R3)

Mr.I.Murugesan
Government Advocate (Crl.Side) (For R4)

Mr.N.Jeyaram Sidharth
(For R5)



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ORDER

This petition has been filed seeking to direct the 1st Respondent to complete the enquiry of Patta Appeal pending on the file of the 1st Respondent vide his proceeding in O.MU.E 3333899/2025/A3 dated 27.05.2025 within time frame fixed by this Court consequently restraining the Respondents from conducting survey of the land in S.F. No. 395/2A2A2A situated at Viralur Village, Viralimalai Taluk, Pudukottai District, While pending disposal of the Patta Appeal on the file of the 1st Respondent and title suit in O.S.No. 71 of 2025 on the file of the Sub Court Keeranur.

2. The learned counsel for the petitioners submitted that the petitioners claim right, title, and interest over the property comprised in Survey No. 395/2A2A2, which originally belonged to one Rengasamy. The petitioners trace their title through a power of attorney executed by the said Rengasamy in favour of one Sudhakar. Pursuant thereto, Sudhakar conveyed the property to his wife, Pappathi, the first petitioner herein, who subsequently sold the property to the second petitioner. On the other hand, the fifth respondent traces title to the very



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same property through the same Rengasamy. It is contended that Rengasamy executed a settlement deed in favour of his son, Palani, who, in turn, executed a settlement deed in favour of his son, Ramesh. Thereafter, Ramesh sold the property to Vellaiammal, who subsequently conveyed the same to the fifth respondent. When the dispute arose between the parties, therefore, the 2nd petitioner has filed an appeal and the same is pending.

3. Heard the learned counsel appearing for the respondents 1 to 3 and the learned Government Advocate (Crl.side) appearing for the 4th respondent and the learned counsel appearing for the 5th respondent.

4. Thus, both the petitioners and the fifth respondent claim title to the property through the same original owner, namely Rengasamy, under different chains of title. In view of the rival claims and the disputed questions relating to title, the issue can be adjudicated only by a competent civil court. It is well settled that the revenue authorities have no jurisdiction to decide disputed questions of title and cannot adjudicate upon rival claims of ownership while exercising their revenue powers.



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5. This Court is not inclined to entertain the writ petition since the prayer to the first respondent to complete the revenue proceedings cannot be granted. Accordingly, the revenue proceedings shall remain in abeyance until the title dispute is finally resolved. In the meantime, the patta shall continue to stand in the name of the original owner, Rangaswamy. It is further noted that the fifth respondent has instituted O.S. No. 71 of 2025 before the Sub Court, Keeranur, wherein the first and second petitioners have been arrayed as defendants. The suit has been filed seeking the reliefs of declaration and injunction. Upon disposal of the said suit, the parties are at liberty to approach the revenue authorities for issuance of patta in accordance with the outcome of the civil proceedings.

6. With regard to the survey of the property, the fifth respondent had earlier filed W.P.(MD) No. 12346 of 2026, in which, by order dated 24.04.2026, this Court directed the competent authority to conduct a survey. The said direction shall continue to remain in force. The survey shall be conducted after issuing due notice to the petitioners, namely Pappathi, Kavitha, their Power of Attorney holder Sudhakar, the fifth respondent, and all other rival claimants. If the



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petitioners are found to be in possession of the property, the fifth respondent shall not evict them except by following due process of law. Likewise, if the fifth respondent is found to be in possession, the petitioners shall not disturb or dispossess the fifth respondent except in accordance with due process of law. The parties are directed not to take the law into their own hands or create any law and order issues. The survey shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

06.07.2026

Index : Yes / No
Internet : Yes
NCC : Yes / No
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To

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S.SRIMATHY, J

msrm

**Order made in
W.P.(MD)No.18759 of 2026
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