

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.9.2015

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

**W.P.No.33961 of 2014 and 30302 of 2015,
M.P.No.2 of 2015 in W.P.No.33961 of 2014 and
M.P.No.1 of 2015 in W.P.No.30302 of 2015**

W.P.No.33961 of 2014:

N.Paranthaman
S/o.Natesan No.2/36 Perumal Koil Street
Vadaperumbakkam Chennai 60 ... Petitioner

Vs.

- 1 The District Revenue Officer
Thiruvallur Thiruvallur District
- 2 The Revenue Divisional Officer
Ponneri Thiruvallur District
- 3 The Tahsildar
Madhavaram Taluk Thiruvallur District
- 4 Govindaraj
S/o.Balarama Reddy No.3 Vaikkakaran Street
Purasawalkam Chennai 600 007
- 5 Krishnamoorthy
S/o.Balarama Reddy No.3 Vaikkakaran Street
Purasawalkam Chennai 600 007 ... Respondents

W.P.No.30302 of 2015:

- 1 Ponnammal
W/o.(Late) Thulasi D/o.Krishnan

- | | | | |
|---|---|-----|-------------|
| 2 | Ramesh @ Jeybal
S/o.(Late) Thulasi | | |
| 3 | Jeyanthi
W/o.Munivel D/o.(Late) Thulasi | | |
| 4 | Murugan
S/o.(Late) Thulasi | | |
| 5 | Lakshmi
D/o.(Late) Thulasi | | |
| 6 | Malar
D/o.(Late) Thulasi | | |
| 7 | Rathinam
S/o.(Late) Thulasi | | |
| 8 | Govindammal
W/o.Thangaraj D/o.Elumalai
Rep. By Power of Attorney Mr. N.Paranthaman
S/o.Natesan, No.2/36 Perumal Koil Street,
Vadaperumbakkam, Chennai-60. | ... | Petitioners |
| | Vs. | | |
| 1 | The District Revenue Officer
Thiruvallur Thiruvallur District. | | |
| 2 | The Revenue Divisional Officer
Ambattur Thiruvallur District. | | |
| 3 | The Tahsildar
Madhavaram Taluk Thiruvallur District. | | |
| 4 | Govindaraj
S/o.Balaram Reddiyar No.3 Vaikkakaran
Street Purasawalkam Chennai-7. | ... | Respondents |

Prayer in W.P.No.33961 of 2014 :

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari Mandamus, to call

for the records of the impugned order in R.C.No.B3/3154/2013 dated 24.10.2014 passed by the 1st respondent and quash the same and confirm the order made in Na.Ka.7996/2005/A1 dated 27.08.2010 passed by the 2nd respondent.

Prayer in W.P.No.30302 of 2015 :

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the 2nd respondent to cancel the chitta No. 676 issued in favour of the 4th respondent in survey No.80/4(A) measuring 0.17.00 Are (0.42 cents (situated at Manjampakkam Village, Madhavaram Taluk Thiruvallur District and consequently to restore the previous status in Revenue records based on the petitioners' representation dated 24.07.2015.

For Petitioners in
both W.Ps. : Mr.M.Rajendran
For Respondents 1 to 3
in both W.Ps. : Mrs.P.Rajalakshmi, G.A.
For private respondents
in both W.Ps. : Mr.R.Selvakumar

ORDER

The law is quite settled that this Court cannot go into inter se dispute between the private parties even in case prima facie taken into consideration for the purpose of deciding patta by the revenue officials. In other words it is only a Civil Court which has to decide the inter se rights of the parties concerned. It is also trite that decision made by the revenue authorities cannot be said to be binding on a decision rendered by the competent Civil Court.

2 In the case in hand, the Revenue Divisional Officer passed order in favour of the petitioner which was reversed by the first

respondent. The findings rendered by him in the impugned order, dated 24.10.2014 will have to be treated as prima facie being subject to the decision of the Civil Court. In other words, those findings are only with reference to the issue with respect to the patta alone and not title.

3 Accordingly, W.P.No.33961 of 2014 stands disposed of by giving liberty to the petitioner to approach the competent Civil Court for appropriate relief.

4 Counsel for the petitioner has submitted that the petitioner would file a comprehensive Civil suit within a period of one month. As and when the civil suit is filed, the competent Civil Court shall decide the suit on merit without being influenced by the order impugned while deciding the issue of title between the parties.

5 In view of the order passed in W.P.No.33961 of 2014, writ petition in W.P.No.30302 of 2015 also stands disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

30.9.2015

Index : Yes/No
Internet : Yes/No
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To

- 1 The District Revenue Officer
Thiruvallur Thiruvallur District
- 2 The Revenue Divisional Officer
Ponneri Thiruvallur District
- 3 The Revenue Divisional Officer
Ambattur Thiruvallur District.
- 4 The Tahsildar
Madhavaram Taluk Thiruvallur District

M.M.SUNDRESH J.

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**W.P.No.33961/2014 & 30302/2015
and M.P.No.2/2015 in W.P.No.33961/2014
and M.P.No.1 of 2015 in W.P.No.30302 of 2015**

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