

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.30183 of 2015

K.Pandurangan

... Petitioner

-Vs-

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The District Revenue Officer,
Villupuram District,
Villupuram.
- 3.The Revenue Divisional Officer,
Sangarapuram Taluk,
Villupuram.
- 4.The Tahsildar,
Sangarapuram Taluk,
Villupuram District.
- 5.The Village Administrative Officer,
Rishivandhyam,
Sangarapuram Taluk,
Villupuram District.
- 6.Chinnaiyan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 1st respondent to dispose of the petitioner's statutory appeal dated 01.08.2015 on merits in accordance with law within a stipulated period of time.

For Petitioner : Mr.M.V.Muralidaran

For Respondents: Mr.S.Diwakar,
Additional Government Pleader (R1 to R5)

O R D E R

The petitioner made a representation to the respondent no.2 seeking separate patta in his name as against the name of one Chinnaiyan viz., the respondent no.6 herein. The request was rejected taking note of the pendency of the suit filed by him in

O.S.No.172 of 2014 on the file of the District Munsif Court, Sangarapuram. Thereafter, the petitioner preferred an appeal before the respondent no.1 dated 01.08.2015. Seeking early disposal of the appeal, the present Writ Petition has been filed.

2.Admittedly, a comprehensive suit for partition is pending. The law is quite settled that patta is not a document of title and in any case, such a patta would be subject to the adjudication by the Civil Court. Thus, the patta, though standing in the name of the respondent no.6, would be subject to the judgment and decree to be rendered by the Civil Court in the suit in O.S.No.172 of 2014.

3.Accordingly, the Writ Petition is disposed of giving liberty to the petitioner to file appropriate application, after disposal of the suit, if so advised. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The District Revenue Officer,
Villupuram District,
Villupuram.
- 3.The Revenue Divisional Officer,
Sangarapuram Taluk,
Villupuram.
- 4.The Tahsildar,
Sangarapuram Taluk,
Villupuram District.
- 5.The Village Administrative Officer,
Rishivandhyam,
Sangarapuram Taluk,
Villupuram District.

+ 1 cc to Mr.M. V. Muralidharan, Advocate SR.52439
+ 1 cc to Government Pleader Sr.52439

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SVI (CO)
Eu 05.10.15