

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.42776 of 2002

C.Samuvel

...Petitioner

-Vs-

- 1.The Revenue Divisional Officer,
Mailadudurai,
Nagapattinam District.
- 2.The District Revenue Officer,
Nagapattinam, Nagapattinam District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records relating to the proceedings made in No.Mu.Mu.6463/99/Aa4 dated 25.04.2002 on the file of the first respondent and consequential proceedings No.Na.Ka.24630/2002 dated 27.09.2002 on the file of the second respondent and quash both.

For Petitioner : Mr.S.Doraisamy

For Respondents: Mr.P.Sanjay Gandhi, AGP

ORDER

The impugned order is pertaining to the patta granted in favour of a third party, cancelling the patta stood in favour of the petitioner. The law is quite settled that such an order is prima facie nature and does not confer any title of a party to the property. A perusal of the impugned order would reveal that the petitioner has been heard and reasons have been assigned thereof, while holding that the patta granted to the petitioner is invalid. If at all the petitioner is aggrieved against interference at the instance of the third party or he would like to establish his title and possession, his remedy lies elsewhere viz., Jurisdictional civil court. It is needless to state that the orders passed by the Revenue authorities are always subject to the decision of the civil court. In other words, the Revenue authorities are bound by the decree of the civil court.

2.In view of the above, the writ petition is dismissed, giving liberty to the petitioner to approach the concerned civil court, if so advised. No costs.

rk

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Revenue Divisional Officer,
Mailadudurai,
Nagapattinam District.

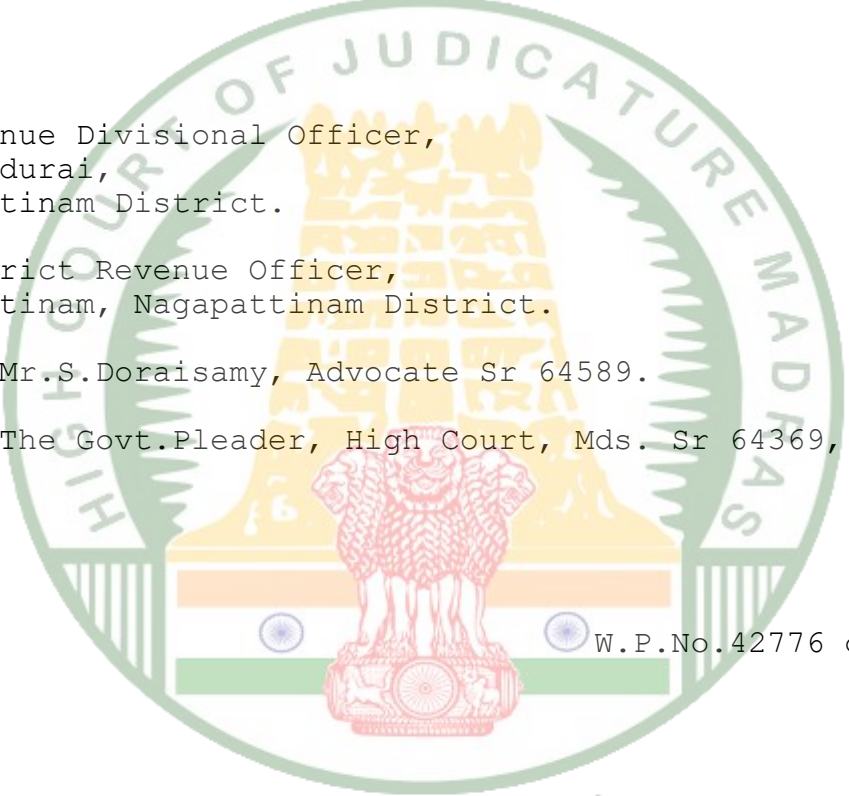
2.The District Revenue Officer,
Nagapattinam, Nagapattinam District.

+ 1 cc to Mr.S.Doraisamy, Advocate Sr 64589.

+ 1 cc to The Govt.Pleader, High Court, Mds. Sr 64369, 64189.

KSK/CO
KR/15/12

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सत्यमेव जयते

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