

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2018

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.14137 of 2017
and
W.M.P.Nos.15538 & 15539 of 2017

Lakshamma

..Petitioner

Vs.

1.The District Revenue Officer,
Krishnagiri District.

2.The Tahsildar,
Soolagiri Taluk,
Sollagiri,
Krishnagiri District.

3.Vinayakumar

4.Girithimmaiah

..Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings issued in Pa.Mu.22631/2016/J2/17/3/2017 by the 1st respondent, quash the same and consequently direct the 1st respondent to issue Patta to the petitioner based on her representation dated 17.09.2016 within the time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.M.Karthikeyan, AGP for R1 & R2
Ms.R.Poornima for R3 & R4

O R D E R

The order passed by the 1st respondent in proceedings dated 17.03.2017 in respect of grant of patta is under challenge in this writ petition.

2.The petitioner claims that he is the owner of the land described in the present writ petition. However, there is a dispute in respect of title and ownership in respect of the land described in the present writ petition and the learned counsel for the respondents 3 and 4 informed this Court that a Civil Suit in O.S.No.132 of 2012 on the file of the Sub Court, Hosur

is pending. The writ petitioner as well as the respondents 3 and 4 are the parties in the Civil Suit now pending before the competent Civil Court. The Suit is for partition and to declare the sale deed as null and void.

3. In view of the fact that the Civil Suit has been filed for a substantial relief, this Court is of an opinion that the respective parties have to raise all their contentions before the competent Civil Court and only after the conclusion of the civil litigations, the respective parties are at liberty to approach the competent authority for grant of patta, cancellation or patta or alterations or modifications in the revenue records by submitting a fresh application in accordance with the procedures as contemplated.

4. In this view of the matter, all the patta proceedings including the impugned order are kept in abeyance till the conclusion of the civil litigations between the parties to the lis on hand. After the conclusion of the civil litigations, the respective parties are at liberty to approach the competent revenue authorities for the purpose of grant of patta or cancellation of patta or effecting modifications in the revenue records.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1. The District Revenue Officer,
Krishnagiri District.

2. The Tahsildar,
Soolagiri Taluk,
Sollagiri,
Krishnagiri District.

+1 CC to Mr. R. Bharath Kumar, Advocate sr 58946.

+1 CC to Govt. Pleader sr 58856.

+1 CC to Ms. R. Poornima, Advocate sr 58632.

W.P.No.14137 of 2017

SP(04/09/2018)