



W.P(MD)No.8282 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.09.2022**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.8282 of 2013

and

M.P(MD)No.1 of 2013

K.Seetharaman

... Petitioner

Vs.

1.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Mudukulathur Taluk,
Mudukulathur,
Ramanathapuram District.

4.Gunasekaran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the Impugned order of the first respondent in Pa.Mu. 5355/2012 (P5) dated 10.04.2013 issued to the petitioner and quash the same as illegal.



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For Petitioner : Mr.R.R.Kannan
For R1 – R3 : Mr.M.Linga Durai
Special Government Pleader
For R4 : No Appearance

ORDER

The present writ petition has been filed challenging an order passed by the first respondent herein, under which the patta standing in the name of the writ petitioner was cancelled and a direction was issued to the third respondent herein to pass orders based upon the registered settlement deed.

2. According to the petitioner, patta was originally standing in the name of Seetharaman and Ramesh, who are the sons of one Kumaraiah. Thereafter, one Gunasekaran has approached the Revenue Divisional Officer for cancellation of the said patta and for granting patta in the name of his son.

3. According to the learned counsel for the petitioner, some errors were found out in the said application and the application was closed by



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the Revenue Divisional Officer. No orders were passed by the Revenue Divisional Officer on merits. However, the fourth respondent had approached the District Collector by way of an application and the said application has been forwarded to the first respondent herein for conducting enquiry.

4. The first respondent had issued notice to the writ petitioner and the fourth respondent herein and arrived at a conclusion that there is a gift settlement deed, dated 17.09.1992 and registered on 20.09.1993 in favour of minor Ramkumar and one Deivanai, wife of Ramesh. In view of the registered document, the first respondent had cancelled the patta standing in the name of the writ petitioner and directed the third respondent to grant patta based upon the said settlement deed. This order is under challenge in the present writ petition.

5. According to the learned counsel for the petitioner, the gift settlement deed is not valid and it will not confer any title upon the said Ramkumar and Deivanai.

6. However, I am not inclined to accept the said submission. The



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revenue authorities are duty bound to take into consideration the registered documents to grant patta. In case, if the petitioner is having any grievance about the validity of the gift settlement deed, dated 17.09.1992 and registered on 20.09.1993, it is open to him to approach the competent Civil Court. Based upon the judgment and decree of the Civil Court, the petitioner is at liberty to approach the revenue authorities for mutation of revenue records. I do not find any merits in the writ petition.

7. Hence, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

08.09.2022

Index : Yes / No
Internet : Yes / No

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To

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R.VIJAYAKUMAR ,J.

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Order made in
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