



WEB COPY



W.P.No.10618 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P.No.10618 of 2015 and  
M.P.Nos.1 & 2 of 2015

Pradeep .. Petitioner

vs

1. Tahsildar  
Coimbatore North, Coimbatore – 18.

2. Shanmugasundaram

3. Padma

4. Shanmugham

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the first respondent in Mu.Mu.No.17464/2007, A1, dated 24.12.2007 to quash the same and consequently direct the first respondent to collect the land tax from the petitioner by including the name of the petitioner in the computer chitta.

For Petitioner : Mr.C.Deivasigamani

For Respondents : Mr.S.Ravichandran  
Additional Government Pleader

ORDER

The order impugned dated 24.12.2007 passed by the Tahsildar, Coimbatore (North) reveals that there was a dispute existing during the relevant point of time between the parties in respect of the subject property.



2. The application seeking patta, its cancellation or transfer are to be adjudicated in the manner contemplated under the provisions of the Patta Passbook Act. In the present case, the petitioner submitted an application, which was considered by the Tahsildar by following the procedures and by affording opportunities to all the parties. Finally, the Tahsildar found that a civil dispute existing between the parties and accordingly, relegated the parties to resolve the issues by approaching the competent Civil Court of law.

3. The Patta Passbook Act itself contemplates that, in the event of title disputes or otherwise, the parties are to be relegated to approach the competent Civil Court of law. The revenue authorities are incompetent to adjudicate the title or ownership, because, only in the event of establishing the title or ownership, patta will be issued. That being the scope of the provisions of the Patta Passbook Act, the petitioner is at liberty to approach the competent Civil Court of law for the purpose of establishing his case in the manner known to law.

4. It is brought to the notice of this Court that already a civil suit has been instituted in O.S.No.583 of 1999 on the file of the Sub-Court, Coimbatore. This being the factum, the said civil suit is to be pursued by



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the aggrieved parties. However, it is further submitted that the suit was decreed. If that is the case, the petitioner is at liberty to submit a fresh application before the Tahsildar for the purpose of reconsidering his case for grant of patta or transfer or otherwise.

5. With these directions, the writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes/No  
Neutral Citation : Yes/No

**25.04.2023**

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To:

1. Tahsildar  
Coimbatore North  
Coimbatore – 18.



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**S.M. SUBRAMANIAM, J.**

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