



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.A.Nos.1918 & 1862 of 2023

K.Palanivel

.. Appellant in
both W.As.

Vs.

Kaveriyammal

.. Respondent-1 in
WA No.1918/23

Lakshmanan

.. Respondent-1 in
WA No.1862/23

The District Revenue Officer
Office of the District Revenue Officer
Kallakurichi, Kallakuruchi District.

The Revenue Divisional Officer/
The Sub Collector
Office of the RDO/Sub Collector
Kallakurichi, Kallakuruchi District.

The Tahsildar
Chinnasalem Taluk Office
Chinnasalem
Kallakurichi.

.. Respondents 2-4
in both W.As.

Page 1 of 6



W.A.Nos.1918 & 1862 of 2023

WEB COPY

Prayer: Appeals filed under Clause 15 of the Letters Patent against the common order dated 25.08.2022 made in W.P.Nos.20057 and 11849 of 2021.

For the Appellant : Mr.Balavijayan
in both W.As. For M/s.C.S.Associates

For the Respondents : Mr.R.Nalliyappan
in both W.As. for Respondent-1

Mrs.R.Anitha
Special Government Pleader
for Respondents 2 to 4

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

Heard Mr.Balavijayan, learned counsel for the appellant, Mr.R.Nalliyappan, learned counsel for the first respondent and Mrs.R.Anitha, learned Special Government Pleader for the respondents 2 to 4.

2. The appellant challenges the order passed by the learned Single Judge thereby allowing the writ petitions filed by the first respondent.



W.A.Nos.1918 & 1862 of 2023

WEB COPY

3. The first respondent in both the appeals had filed writ petition challenging the order passed by the District Revenue Officer.

4. Learned counsel for the appellant submits that the learned Single Judge has proceeded on the basis of the judgment of the civil Court. However, he did not consider the appeal already filed by the present appellant, which is pending consideration with the appellate authority. In view of that, learned Single Judge ought not to have passed the impugned order.

5. The judgments delivered by the Civil Court are binding on the revenue authorities. Admittedly, the suit filed by the appellant is dismissed. The relief claimed by the appellant in the Civil Suit No.3138 of 2025 for declaration to declare that the property belongs to him has been negatived. The learned Single Judge has granted liberty to the appellant to file a fresh application for issuance of patta if he succeeds in appeal. The remedy of the appellant has



W.A.Nos.1918 & 1862 of 2023

been kept in tact by the learned Single Judge in the impugned order.

6. We do not see any error committed by the learned Single Judge while passing the impugned order.

7. In view of that, the writ appeals are disposed of. There will be no order as to costs. C.M.P.Nos.16483, 16484 and 16245 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)
28.07.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl



W.A.Nos.1918 & 1862 of 2023

WEB COPY

To

1. The District Revenue Officer
Office of the District Revenue Officer
Kallakurichi, Kallakuruchi District.
2. The Revenue Divisional Officer/The Sub Collector
Office of the RDO/Sub Collector
Kallakurichi, Kallakurichi District.
3. The Tahsildar
Chinnasalem Taluk Office
Chinnasalem, Kallakurichi.



WEB COPY



W.A.Nos.1918 & 1862 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(kpl)

W.A.Nos.1918 & 1862 of 2023

28.07.2023