



WEB COPY

W.P.No.16999 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16999 of 2000

M.Kittusamy (Deceased)

1. K.Mariamammal

... Petitioner

Vs.

1.The District Revenue Officer,
Coimbatore District.

2.The Settlement Officer,
Dharapuram.

3.The Tahsildar,
Pollachi Taluk, Pollachi.

4.T.M.Ramalingam

... 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 pertaining to the order of the first respondent passed in his proceedings Pa.Ma.Me.Mu.Ma.No.9/99-C2, dated 15.06.2000 confirming the order of the second respondent passed in his proceedings Mu.Mu.S.R.24/95/B2 dated 16.03.1998 and cancel the patta granted in favour of the fourth respondent by quashing the orders dated 15.06.2000 passed by the first respondent and consequently, direct the respondents 1 to 3 to grant patta in favour of the



petitioner in respect of the house, ground and premises bearing Door No.2/85-A, situate in Natham No.149/A1 C2 and S.No.392/14 of Thondamuthur Village, Pollachi Taluk, Coimbatore District.

For Petitioner : Mr.B.Srinivasan

For Respondents 1 to 3 : Mr.G.Krishna Raja,
Additional Government Pleader

For Respondent 4 : Mr.R.L.Mouli

ORDER

The writ petition has been instituted questioning the validity of the revenue proceedings initiated by the authorities under the Patta Pass Book Act.

2. Admittedly, second appeal in SA.No.533 of 2004 is pending before this Court. During the pendency of the civil litigation, the revenue authorities are incompetent to grant patta, cancel the patta or to mutate the revenue records. Only after reaching finality in the civil litigation, the applications if any filed under the provisions of the Patta Pass Book Act, 1983 is entertainable.

3. Since the second appeal is pending before this Court, the parties are at liberty to establish their rights in the said appeal and after disposal of the



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civil litigations, either of the parties are at liberty to submit an application for grant of patta, cancellation of patta or for mutation of the revenue records, as the case may be.

4. With this liberty, the writ petition stands disposed of. No costs.

28.08.2023

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Index : Yes



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S.M.SUBRAMANIAM, J.

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