



W.P.No.8625 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8625 of 2023 &
W.M.P.No.8799 of 2023

R.K.Ganesan

...Petitioner

Vs.

1.The District Collector,
Collectorate,
GST Road,
Chengalpet – 603 001.

2.The District Revenue Officer,
Office of the Revenue Divisional Office,
Chengalpet – 603 001.

3.Tahsildar,
Thandalam,
Tiruporur – 603 105.

4.Sub Registrar,
Kelambakkam SRO,
No.29, South Mada Street,
Tiruporur – 603 110.

5.M.Parthipan

..Respondents



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Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records in impugned letter Na.Ka.No. 196/ 2021/ AA1 dated 03.02.2021 and quash the same as illegal and consequently direct the 3rd respondent to issue individual patta in favour of the petitioner.

For Petitioner : Mr.R.Prabhakaran

For Respondents 1 to 4 : Mr.C.Jayaprakash,
Government Advocate

For Respondent 5 : Mr.S.Vijaya Kumar

ORDER

The order passed by the Tahsildar, Thiruporur in proceedings dated 03.02.2021 is sought to be quashed in the present writ petition.

2. The petitioner submitted an application for grant of individual patta under the Patta Pass Book Act. The Tahsildar conducted an enquiry and during the field inspection, the authority found that several persons are in possession of the subject property and therefore, the individual patta cannot be granted in favour of the writ petitioner.



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3. When third parties are in possession and enjoyment of the property, the authorities competent are bound to relegate the parties to approach the civil court of law for the purpose of resolving their issues. In the present case, the impugned order itself reveals that the field inspection was conducted by the Tahsildar who identified that some third parties are in possession and enjoyment of the subject property.

4. That being the factum, the petitioner is at liberty to approach the civil court of law for the purpose of redress his grievance in the manner known to law.

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

03.08.2023

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Index: Yes
Speaking Order

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To
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S.M.SUBRAMANIAM, J.

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