



W.P.No.1016 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.1016 of 2023
and
W.M.P.No.999 of 2023

K.Lakshmi Narayanan

...Petitioner

Vs

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Revenue Divisional Officer,
Villupuram.
- 3.The District Registrar,
Collectorate Perunthittu Campus,
Villupuram.
- 4.The Tahsildar,
Vikravandi Taluk, Villupuram.
- 5.The Village Administrative Officer,
Paniyapuram Mathura Mandapam,
Vikravandi Taluk, Villupuram.
- 6.S.Karthikeyan

...Respondents



W.P.No.1016 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 3 to cancel the Patta No.910 issued in favour of 6th respondent and issue fresh Patta in favour of petitioner for which the petitioner made representations to the respondents 1 and 3 on 08.10.2020 and 21.11.2022, consequently restraining the 6th respondent, their men, agents, servants or any other persons or the persons claiming through them from interfering with the petitioner's peaceful possession and enjoyment of the property situated at Survey Nos.9/8A & 9/8B, Old Survey No.9/8, Pannayappuram Village, Vikravandi Taluk, Villupuram District.

For Petitioner	: Ms.H.Lucia Priyadarshini for Mr.K.Gokulram
For R1 to R5	: Ms.Akila Rajendran, Government Advocate
For R6	: No Appearance

ORDER

Heard Ms.H.Lucia Priyadarshini, learned counsel appearing for the petitioner and Ms.Akila Rajendran, learned Government Advocate for the respondents 1 to 5.

2. There is no appearance on behalf of the sixth respondent.



W.P.No.1016 of 2023

WEB COPY

3. The proviso to Section 14 of the Tamil Nadu Patta Pass Book Act, 1983 states that, if any person is aggrieved against any right of which he is in possession, by an entry made in the patta pass book under this Court, he may institute a suit against the person denying his right or interest for declaration of his rights under Chapter VI of the Specific Relief Act, 1963 and the entry in the patta pass book shall be amended in accordance with any such declaration made by the Civil Court. So also does Rule 4(4) of the Tamil Nadu Patta Pass Book Rules, 1987.

4. In the instant case, both the petitioner, as well as the sixth respondent herein, allege that they have rights over the property in Old Survey No.9/8, New Survey Nos.9/8A and 9/8B, Pannayappuram Village, Vikravandi Taluk, Villupuram District, covered under Patta No.910.

5. In view of the title dispute between the petitioner, as well as the sixth respondent, it would be appropriate that they resolve their dispute before the concerned Civil Court of law. As such, the prayer sought for in this Writ Petition against the respondents 1 and 3 for cancellation of Patta does not require interference.



W.P.No.1016 of 2023

WEB COPY

6. In the light of the above findings, the petitioner, as well as the sixth respondent herein, are granted liberty to approach the Civil Court, within a period of 60 days from today, to exercise their respective rights for declaring the title over the subject property.

7. With the above liberty, the Writ Petition stands closed. No costs.
Consequently, connected miscellaneous petition is closed.

06.03.2023

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

hvk



W.P.No.1016 of 2023

WEB COPY

To

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Revenue Divisional Officer,
Villupuram.
- 3.The District Registrar,
Collectorate, Perunthittu Campus,
Villupuram.
- 4.The Tahsildar,
Vikravandi Taluk, Villupuram.
- 5.The Village Administrative Officer,
Paniyapuram Mathura Mandapam,
Vikravandi Taluk, Villupuram.



WEB COPY



W.P.No.1016 of 2023

M.S.RAMESH,J.

hvk

W.P.No.1016 of 2023

06.03.2023