



WEB COPY

CRP No. 3188 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

CRP NO. 3188 OF 2011

Dr.T.Velayudam

..Petitioner(s)

Vs

1. Tmt. Thilakavathi Santhaseelan
2. Selvi Narmadha Santhaseelan
3. Selvi Vedha Santhaseelan
4. S.Santhanlatchumy
5. Sumathradevi
6. Munisamy
7. Soudagar
8. Colonel C.K.Gangadharan (Retd.)
9. Suganya
- 10.C.Essoudasse
- 11.S.Adhikesavan(A)
- 12.M.Malini Cambusier
- 13.Julia Cambusier
- 14.Karthikeyan
- 15.S.Shankar
- 16.Rohini Gangadharan
- 17.Tamilarasi
- 18.Mohammed Macoloom
- 19.D.K.Sharma
- 20.Gowrimani
- 21.Purushothaman
- 22.Mohammed Macoloom
- 23.S.Radhakrishnan
- 24.Malathy
- 25.Sivasankaran
- 26.Suriyamurthy
- 27.Indiradevi
- 28.Velmurugan

..Respondent(s)



Prayer : This petition to restore CRP No. 3188 of 2011 dismissed on 23.01.2023 on the file of this Court.

For Petitioner(s): Mr.S.Kishore Kumar

For Respondent(s): Mr.S.Vadivel – RR4,5,6,8,19,21,22,25,26, & 27.
Mr.T.M.Naveen for Mr.J.P.Jotheeswaran – RR11, 12 & 17
Ms.G.Sumitra – R15
No appearance – RR1 & 2
Sd-N/A for RR10,23,13,14,16,18, 24 & 28
No ready in notice reg.-RR3, 7, 9 and 20.

ORDER

This Civil Revision Petition has been filed to set aside the order dated 26.05.2011 made in PCTPA No. 4 of 1993 on the file of the learned Presiding Officer, Revenue Court (North), Pondicherry and dismiss the same.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents and perused the materials placed on record.

3. The learned counsel for the petitioner would submit that when he had initially proceeded under the Act, an exparte order was passed and thereafter in pursuance to the execution of the exparte order, Execution Proceedings were also initiated in which obstruction petitions were filed. The respondents have also approached this Court by filing a petition challenging the exparte order in which this Court had directed re-hearing of the petition filed by the petitioner to



be considered on merits. After the order was passed, the Revenue Court had again re-opened the application filed by the petitioner and by placing reliance upon the report of the Tahsildar, which was also objected, had dismissed the petition by completely over-looking the lease agreement that had been entered to between the parties which was marked as Ex.P8 and Ex.P9 which is the rental receipt also executed by the lessee. Except the report of the Tahsildar, the respondents have not placed any documents to deny the tenancy when the petitioner had claimed title to the entire property, the authority ought not to have relied upon only 1500 square feet. A lease had been validly entered by the lessee and having taken possession, the lessee had also sold possession to various other persons, these aspects have not been considered by the authority while rejecting the claim of the petitioner. Hence, he seeks this Court's indulgence in setting aside the order and directing the eviction of the respondents.

4. Countering his arguments, the learned counsel appearing on behalf of the respondents in unison would submit that the petitioner had only purchased 1500 square feet in plot No.4 of the entire survey numbers, which had been plotted out by its original owner as early as in the year 1968. Having purchased only 1500 square feet that too of the land which had been plotted out and when it is evident even from the sale deed relied upon by the petitioner, which has been marked as Ex.P8, he cannot claim to be the owner of the entire property,



much less, even cannot make a claim that the land was the agricultural land. He would submit that various other litigations including a criminal complaint had been filed by the petitioner under various provisions of the IPC under Section 195(b)(1) of the CrPC. The same was challenged before this Court and this Court after considering all the facts had quashed the complaint filed by the petitioner. That apart, he would submit that the petitioner himself had given a representation wherein as early as in the year 2003 indicating that the buildings have been put up in the property which would itself substantiate that there had been no agricultural activities that had been carried out to seek the eviction under the provisions of the Puducherry Cultivating Tenants Protection Act. For the aforesaid reasons, he would submit that there is no merits in the Revision and prays this Court to dismiss this Revision Petition.

5. Considered the submissions made by the learned counsel appearing on either side. Even though the petitioner had purchased only 1500 square feet of land, he claims to be in adverse possession of the entire property and had leased out the lands under Ex.P8-lease deed. The petitioner had attacked the report of the Tahsildar upon which heavy reliance had been placed by the authority in rejecting his claim. As rightly pointed out by the learned counsels for the respondents even as early as in the year 2003, the petitioner had admitted that the lands had been used for building residential premises by various persons, who claim right in their own way. From the records, it could be seen that the



petitioner is not cultivating the property and it is also admitted that the plot property of which a portion had been purchased by the petitioner had also been sold to various other individuals. Firstly, the petitioner had not substantiated that the lands are agricultural lands and had been continuously used for cultivating. In this background, this Court is of the view that the petitioner could not have invoked the provision of the Pondicherry Cultivating Tenants Protection Act and could have only filed a regular suit before a competent Civil Court for recovery of possession, if he is otherwise entitled to.

6. For the aforesaid reasons, this Court does not find any merits in the Civil Revision Petition. Accordingly, this Civil Revision Petition stands dismissed. No order as to costs. However, the petitioner is at liberty to seek appropriate relief from the competent Civil Court, if he is so advised.

16-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Maya



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K.KUMARESH BABU, J.

Maya

To

1. The Presiding Officer, Revenue Court (North),
Pondicherry

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Dated : 16-04-2026