



WEB COPY

W.P.No.4386 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4386 of 2023

and

W.M.P.No.4420 of 2023

V.K.Sigamani

... Petitioner

Vs.

1.The District Collector
Kancheepuram District
Kancheepuram.

2.The Tashildar
Sholinganallur Taluk
Kancheepuram District.

3.G.Karunaianandan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to Cancel the Patta.No.5018 measuring about 56 cents in S.F.No.337/2 at Vengaivasal Village, Sholinganallur Taluk, Kancheepuram District in favour of the 3rd respondent and direct the 2nd respondent consider the Petitioner's representation dated 28.09.2018.



For Petitioner : Mr.K.Rajendra Prasad
For R1 & R2 : Mr.S.Ravichandran
Additional Government Pleader
For R3 : Mr.B.Dhiyaneswaran

ORDER

The relief sought for in the present writ petition is to cancel the Patta.No.5018 measuring about 56 cents in S.F.No.337/2 at Vengaivasal Village, Sholinganallur Taluk, Kancheepuram District in favour of the 3rd respondent and direct the 2nd respondent to consider the Petitioner's representation dated 28.09.2018.

2. The grievance of the writ petitioner is that the patta has been erroneously granted in favour of the 3rd respondent. Accordingly, the petitioner submitted an application to cancel the patta. Since no action has been taken by the 2nd respondent, the petitioner is constrained to move the present writ petition.

3. The learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 brought to the notice of this Court that the writ



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petitioner has instituted a Civil Suit in O.S.No.557 of 2021 on the file of the Sub Court, Alandur, which is pending. When the petitioner has already instituted a civil suit claiming relief, the application submitted by the petitioner for cancelling the patta is not entertainable under the provisions of the Tamil Nadu Patta Pass Book Act, 1983. After disposal of the Civil Suit, the petitioner is at liberty to file an appropriate application before the competent authority under the provisions of the Patta Pass Book Act for grant of patta or otherwise.

4. In view of the pendency of the Civil Suit, the Revenue Officers shall not entertain any application from any parties pertaining to the subject property and all such revenue proceedings are to be kept in abeyance, till such time the civil disputes between the parties reach finality.

5. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

15.06.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

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S.M.SUBRAMANIAM, J.

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