



WEB COPY

W.P.No.1047 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 25.08.2023**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P.No.1047 of 2018**

**and**

**W.M.P.No.1262 of 2018**

Ramu

... Petitioner

Vs.

1.The District Collector,  
Kancheepuram  
Kancheepuram District.

2.The District Revenue Officer,  
The Collector Office Campus,  
Kancheepuram.

3.The Tahsildar,  
Thiruperumadur,  
Kancheepuram District.

4.Sundaram

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for records of the order passed by the 2<sup>nd</sup> respondent in Na.Ka.8868/ 2016/ N.3 dated 09.11.2017 and quash the same consequently directing the 2<sup>nd</sup> respondent to change the name in patta No.418 from Kuppusamy Naicker to Kuppusamy



Naidu.

For Petitioner : Mr.D.M.Mahesh  
For R1 to R3 : Mr.G.Krishna Raja  
Additional Government Pleader  
For R4 : No Appearance

### **ORDER**

The order impugned dated 09.11.2017 issued by the District Revenue Officer, Kancheepuram cancelling the individual patta stood in the name of the petitioner and granting joint patta along with the 4<sup>th</sup> respondent is under challenge in the present writ petition.

2. The learned counsel for the petitioner mainly contended that the name of the father of the petitioner was erroneously stated in the patta proceedings.

3. However, it is not as if, based on such error, the joint patta has been granted. The District Revenue Officer categorically considered the revenue records as well as the documents and formed an opinion that the individual patta granted was incorrect and consequently ordered for grant of joint patta



in the name of the petitioner, the 4<sup>th</sup> respondent and his brothers.

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4. If at all the petitioner claims to be the owner of the entire portion of the property, he has to establish his case before the competent civil court of law.

5. The learned counsel for the petitioner brought to the notice of this Court that a civil suit has already been instituted and decreed in favour of the petitioner. However, the defendants in the suit preferred an appeal, which is now pending.

6. That being the factum, the parties are at liberty to establish their respective civil rights in the appeal suit, which is now pending and after disposal of the civil litigation and reaching finality either of the parties is at liberty to submit an application before the Revenue Authorities under the provisions of the Tamil Nadu Patta Pass Book Act, to effect necessary changes.



7. With these observations, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

**25.08.2023**

Jeni  
Index : Yes  
Speaking order  
Neutral Citation : Yes

To

- 1.The District Collector,  
Kancheepuram  
Kancheepuram District.
- 2.The District Revenue Officer,  
The Collector Office Campus,  
Kancheepuram.
- 3.The Tahsildar,  
Thiruperumadur,  
Kancheepuram District.



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**S.M.SUBRAMANIAM, J.**

Jeni

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