



W.P.No.6661 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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C.Thimmarayasamy

...Petitioner

Vs

1.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

2.The Tahsildar,
Hosur Taluk,
Krishnagiri District.

3.Pedda Muniappa

4.Anumanthappa

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 & 2 to remove the name of respondents 3 & 4 in the UDR Patta in respect of property at S.No.16/2 to an extent of 7 Acre 21 Cents and S.No.32/2 to an extent of 99 Cents situated at Soodakondapalli Village, Hosur Taluk, Krishnagiri District and to restore the UDR Patta in the name of the



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petitioner's grandfather, namely Nadupanna @ Pelaseruvappa by considering the petitioner's petition dated 02.11.2022.

For Petitioner : Mr.R.Jayaprakash
For R1 & R2 : Ms.Akila Rajendran,
Government Advocate

ORDER

Heard Mr.R.Jayaprakash, learned counsel for the petitioner and Ms.Akila Rajendran, learned Government Advocate for the first and second respondents.

2. In view of the order to be passed in this Writ Petition granting liberty to the third and fourth respondents, notice to the third and fourth respondents is hereby dispensed with.

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



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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 third and fourth respondents herein, allege that they have rights over the property in Survey Nos.16/2 and 32/2, Soodakondapalli Village, Hosur Taluk, Krishnagiri District.

5. In view of the title dispute between the petitioner, as well as the third and fourth respondents, 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 2, for removing the name of the third and fourth respondents, does not require interference.

6. In the light of the above findings, the petitioner, as well as the third and fourth respondents, 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.



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M.S.RAMESH,J.

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7. With the above liberty, the Writ Petition stands closed. No costs.

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Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

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To

1.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

2.The Tahsildar,
Hosur Taluk,
Krishnagiri District.

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