



WEB COPY

W.P.No.9944 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9944 of 2023

and

W.M.P.No.9999 of 2023

1.Mrs.Malathi

2.Revathi

3.K.Devayani

... Petitioners

Vs.

1.The District Revenue Officer,
Cuddalore District.

2.The Revenue Divisional Officer,
Chidambaram,
Cuddalore District.

3.Deepa

4.Bharathi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, call for the records of the 1st respondent pertains to the impugned order dated 02.02.2023, bearing reference No. Ne.Mu.V3/28018/2022 and set aside the same.



For Petitioners	: Mr.P.R.Thiruneelakandan
For R1 & R2	: Mr.C.Jaya Prakash Government Advocate
For R3 & R4	: Mr.S.C.Vishwanth

ORDER

The order passed by the District Revenue Officer, Cuddalore District in the proceedings dated 02.02.2023 is under challenge in the present writ petition.

2. The petitioners state that they are the absolute owners of the subject property described in the present writ petition. Admittedly, civil disputes exist between the petitioners and the respondents 3 and 4. The civil suit in O.S.No.58 of 2023 has been instituted and now pending on the file of the **Sub Court**, Chidambaram.

3. The learned counsel for the petitioner states that the Revenue Divisional Officer granted relief in favour of the writ petitioners and the respondents 3 and 4 preferred an Appeal before the District Revenue Officer,



who in turn reversed the order passed by the Revenue Divisional Officer.

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4. During the pendency of the civil dispute between the parties in a civil suit, the Revenue Authorities cannot adjudicate the issues in the event of passing order, the same would cause prejudice to either of the parties. In such circumstances, the Tamil Nadu Patta Pass Book Act, 1983 itself states that the Revenue proceedings are to be kept in abeyance, till such time, the parties resolve the civil disputes through Competent Civil Court of Law.

5. In the present case, the parties have already approached the Civil Court and the Suit is subjudiced. All the revenue proceedings including the orders passed by the Revenue Divisional Officer, Cuddalore and the impugned order passed by the District Revenue Officer, Cuddalore in proceeding dated 02.02.2023 are kept in abeyance, till such time, the dispute between the parties are resolved through the Competent Civil Court of Law. After the disposal of the civil cases either of the parties is at liberty approach the Revenue Authorities for the purpose of changes in the revenue records. It is made clear that the parties are bound to establish their rights based on the documents and evidences.



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6. With these observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

17.07.2023

Jeni
Index : Yes
Neutral Citation : Yes
Speaking order

To

- 1.The District Revenue Officer,
Cuddalore District.
- 2.The Revenue Divisional Officer,
Chidambaram,
Cuddalore District.



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S.M.SUBRAMANIAM, J.

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