



WEB COPY

W.P.No.11214 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.11214 of 2020 &
W.M.P.No.13678 of 2020

Anver R.P.M.Adam

... Petitioner

Vs.

1.The District Revenue Officer,
Kanchipuram District.

2.The Revenue Divisional Officer,
Chengalpattu,
Formerly Kanchipuram,
Now at Chengalpattu District.

3.The Tahsildar,
Thiruporur Taluk,
Kanchipuram District.

4.Radhakrishnan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records pertaining to the order passed in Na.Ka.No.5439/2018 No.4 dated 03.07.2018 by the first respondent, whereby confirming the order passed by the second respondent and to quash the same.

For Petitioner

: Mr.N.Damodaran



For Respondents 1 to 3 : Mr.G.Krishna Raja
Additional Government Pleader

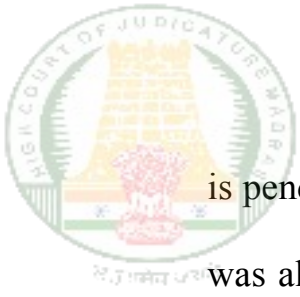
For Respondent 4 : Mr.R.Narendran

ORDER

The order passed by the District Revenue Officer in proceedings dated 03.07.2018 confirming the order passed by the second respondent are sought to be quashed in the present writ petition.

2. The petitioner states that he is absolute owner of the property morefully described in the present writ petition. However, there is a title dispute exists between the petitioner and the fourth respondent. Civil suits instituted are pending before the competent civil court of law. Therefore, the title dispute is yet to be resolved. The petitioner has also filed an application for grant of patta and the third respondent/Tahsildar issued patta. The fourth respondent filed an appeal before the second respondent who in turn allowed the appeal by cancelling the patta granted in favour of the petitioner by the third respondent. The first respondent in the revision also confirmed the order passed by the Revenue Divisional Officer cancelling the patta. Thus, the petitioner is constrained to move the present writ petition.

3. It is not in dispute that the civil suits instituted for appropriate relief



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is pending before the competent civil court of law. That apart, a criminal case was also registered in crime No.13/2010 under section 120B, 465, 466, 468, 471 & 474 of IPC. The Criminal case registered by the District Crime Branch, Kancheepuram is pending for trial in C.C.No.7/2015 on the file of the Judicial Magistrate-I, Chengalpet. Since the land grabbing complaint was given by the fourth respondent and the criminal case is also pending before the competent court of law, the revenue proceedings are to be issued only after the disposal of the civil suits and the criminal case pending before the courts.

4. Therefore, this Court do not find any infirmity in respect of the orders passed. After the disposal of the civil suits and the criminal case, either of the parties are at liberty to approach the revenue authorities for effecting necessary changes in the revenue records in the manner contemplated under the provisions of the Patta Passbook Act.

5. With these observations, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2023

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Index : Yes
Speaking order



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To

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S.M.SUBRAMANIAM, J.

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