



WEB COPY

W.P.No.18220 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.18220 of 2023

DR.Anbuchelvi Appulingam

... Petitioner

Vs.

The Tahsildar,
Sholinganallur Taluk,
Chennai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to modify the entry in the revenue record pursuant to the declaratory decree dated 16.11.2022 made in O.S.No.207 of 2018, on the file of Principal District Munsif, Alandur and followed by her Patta Transfer Application No.2023/0103/02/209193 dated 28.02.2023 by carrying out name change in her favour in respect of the vacant house site plot bearing No.64, measuring an extent of 2100 sq.ft situated, in Survey No.693/51, Thiru-Vi-Ka-Public Servant's Welfare House Site Society, Pallikaranai Village, Sholinganallur Taluk.

For Petitioner

: Mr.R.Veeramani

For Respondent

: Mr.D.Ravichander,
Special Government Pleader



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ORDER

The writ of mandamus has been instituted to direct the respondent to modify the entire revenue records pursuant to the declaratory decree dated 16.11.2022 made in O.S.No.207 of 2018, on the file of Principal District Munsif, Alandur and followed by the petitioner Patta Transfer Application No.2023/0103/02/209193 dated 28.02.2023 by carrying out name change in her favour in respect of the vacant house site plot bearing No.64, measuring an extent of 2100 sq.ft situated, in Survey No.693/51, Thiru-Vi-Ka-Public Servant's Welfare House Site Society, Pallikaranai Village, Sholinganallur Taluk.

2. The petitioner states that she is the owner of the subject property more-fully described in the present writ petition. In view of the civil dispute, the parties have instituted a Civil Suit in O.S.No.207 of 2018 on the file of the Principal District Munsif, Alandur. The Suit ended in favour of the writ petitioner and a decree was passed on 16.11.2022.

3. The grievance of the writ petitioner is that the decree produced by her before the respondent has not been responded and no steps were taken to



change the revenue records by following the procedures as contemplated under the provisions of the Tamil Nadu Patta Pass Book Act, 1983.

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4. The Civil Court decrees are binding on the Revenue Authorities and under Section 14 of the Patta Pass Book Act, once a Civil Court decree has been produced by any one of the parties, then the authorities are bound to initiate action and make necessary changes in the revenue records including grant of patta, cancellation of patta or mutation of patta as the case may be.

5. In view of the principles as stated above, the respondent is directed to accept the Civil Court decree presented by the writ petitioner and issue appropriate orders based on Section 14 of the Patta Pass Book Act and by making necessary changes in the revenue records. The said exercise is directed to be done within a period of four (4) weeks from the date of receipt of a copy of this order.



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6. With the above directions, this Writ Petition stands disposed of. No costs.

22.06.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

The Tahsildar,
Sholinganallur Taluk,
Chennai District.



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S.M.SUBRAMANIAM, J.

Jeni

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