



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9675 of 2017

and

W.M.P.Nos.10646 & 10647 of of 2017

- 1.Durairajan
- 2.Chandrasekaran
- 3.Selvaraj
- 4.Ganesan
- 5.Natarajan
- 6.Prabakaran
- 7.Kuppusamy
- 8.Vasudevan
- 9.Sivaraj
- 10.Ilangovan
- 11.Ilangovan
- 12.Murugavel
- 13.Soundrapandian



W.P.No.9675 of

14.Kandasamy

... Petitioners

Vs.

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1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Revenue Department,
Fort St. George,
Chennai – 600 009.

2.The District Revenue Officer,
Cuddalore District, Manjapuppam,
Collectorate, Cuddalore.

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

4.The Tahsildar, Taluk Office,
Chidambaram, Cuddalore District.

5.P.Jegadeesan

6.C.Panneerselvam

7.Chellapandian

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for records relating to 2nd respondent in his proceedings No.V3/15103/2015 dated 29.12.2016 confirming the order of 3rd respondent in the proceedings No.A4/941/2012 dated 10.06.2015 cancelling the pattas relating to Natham S.No.204/3 to 204/19 of Aadhivaraganatham Village, Mel Bhuvanagiri Taluk, Cuddalore District and quash the same and directing the respondents, their men, subordinates and servants from interfering with the possession of the



petitioners relating to their respective house sites.

For Petitioners	: Mr.R.Kannan
For R1 to R4	: Mr.G.Krishna Raja Additional Government Pleader
For R5 to R7	: No Appearance

ORDER

The proceedings of the District Revenue Officer, Cuddalore dated 29.12.2016 is sought to be quashed in the present writ petition.

2. The petitioners state that they are the members of the Sengunthar Samudhaya Podhu Nalal Sangam and in occupation of the portion of the land in Survey No.204 measuring to an extent of 56 acres of Adivarahanatham Village, Melbuvanagiri Taluk. Admittedly, the said land was classified as “Grama Natham”. The petitioners submitted an application for grant of patta. It was rejected by the Revenue Divisional Officer. Thus, the petitioners preferred an appeal before the District Revenue Officer, Cuddalore. The District Revenue Officer conducted an enquiry by affording an opportunity to the parties. Written submissions were submitted by the writ petitioners and other parties. The District Revenue Officer made a finding that the Revision



petitions before him were fraudulently created house site pattas and based on the said finding, the house site pattas were cancelled confirming the order passed by the Revenue Divisional Officer, Chidambaram. The finding further reveals that the subject property do not belong to the petitioners.

3. This being the factum, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 4 brought to the notice of this Court that the civil suit has already been instituted in O.S.No.215 of 2015 and pending on the file of the Principal District Munsif Court at Cuddalore. If at all the petitioners are in possession of the document to establish their case, they are at liberty to adjudicate the issues before the Civil Court. However, during the pendency of the civil suit, the Revenue Authorities are incompetent to adjudicate title or ownership of the property.

4. In the present case, admittedly the land was classified as Grama Natham and bogus pattas were created for the purpose of grabbing the Grama Natham lands. Therefore, the petitioners are not entitled for the relief. Thus, this Court do not find any infirmity in respect of the orders passed by the Revenue Authorities.



5. Accordingly, this Writ Petition stands dismissed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

25.08.2023

Jeni

Index : Yes

Speaking order

Neutral Citation : Yes

To

- 1.The Secretary to Government,
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S.M.SUBRAMANIAM, J.

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