



WEB COPY

W.P.No.345 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.345 of 2023

and

W.M.P.No.329 of 2023

E.Vinoth Kumar

... Petitioner

Vs.

1.The Executive Officer,
Arulmighu Salaikarai Mariamman Koil,
Manjakuppam Cuddalore Taluk,
Cuddalore District.

2.The Tahsildar,
Cuddalore,
Cuddalore District.

3.The Revenue Divisional Officer (R.D.O),
(Sub Collector) Cuddalore Taluk,
Cuddalore District.

4.The District Revenue Officer (D.R.O),
Cuddalore Taluk and District.

5.The District Collector,
Cuddalore,
Cuddalore District.

... Respondents



W.P.No.345 of

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 2nd respondent herein to grant “Patta” to the petitioner in pursuance of the orders / judgement rendered in A.S.No.44 of 2001 by the Sub Court, Cuddalore dated 10.10.2002.

For Petitioner : Mr.M.Arumugam
For R1 : Ms.Usha Raman
For R2 to R5 : Mr.E.Sundaram
Government Advocate

ORDER

The relief as such sought for in the present writ petition is to direct the 2nd respondent to grant patta to the petitioner in pursuance of the judgment rendered in A.S.No.44 of 2001 by the Sub Court, Cuddalore dated 10.10.2002.

2. The learned counsel appearing on behalf of the 1st respondent / Temple made a submission that challenging the judgment and decree passed in A.S.No.44 of 2001, a Second Appeal in S.A.No.1084 of 2003 was filed and is pending before this Court. More so, the learned counsel for the 1st respondent states that the subject property belonging to the Temple and in



this regard, they have raised an objection before the Registering Authority under Section 22-A of the Registration Act, not to register any document.

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3. This being the factum, the patta proceedings cannot be entertained by the Revenue Authorities during the pendency of the civil litigations. More so, second appeal is pending before the High Court of Madras. Thus, the relief as such sought for cannot be considered.

4. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

25.08.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



W.P.No.345 of

To

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S.M.SUBRAMANIAM, J.

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