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C.M.P.Nos.23326 & 19236 of 2023 in
W.A.No.1233 of 2023

C.M.P.Nos.23326 & 19236 of 2023 in
Writ Appeal No.1233 of 2023

THE HON'BLE CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.

(Order of the Court was made by the Hon'ble Chief Justice)

Heard Mr.Elango, learned counsel for the applicant and
Mrs.R.Anitha, learned Special Government Pleader for the
respondents.

2. C.M.P.No.23326 of 2023 is filed for modification of the order
dated 04.10.2023 in W.A.No.1233 of 2023 passed by this Court.

3. Learned counsel for the applicant submits that the patta in
favour of the applicant is a ryotwari patta, thereby conferring the title
in favour of the applicant. In that case, as the title is perfected by the
applicant, only because the respondents are objecting, that cannot be
a ground to refuse the registration. It is for the respondents to prove
the title.



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4. While disposing of the appeal, we have observed that the learned Single Judge has kept the remedy of the parties open. It was observed that the Temple has raised objections. The Temple has also claimed ownership over the said property and the applicant claims ownership on the basis of the joint patta issued to her along with six other persons. As the dispute of title exists, learned Single Judge has observed that the parties may get their title perfected before the Civil Court.

5. As the view taken by the learned Single Judge was a plausible view, we did not interfere in the appeal. We observed that it will be open for the parties to approach the Civil Court. In the proceedings before the Civil Court, all contentions can be raised by the respective parties, which would be certainly considered.



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6. In view of the aforesaid, C.M.P.No.23326 of 2023 stands disposed of. There will be no order as to costs.

7. In the light of the order passed in C.M.P.No.23326 of 2023, C.M.P.No.19236 of 2023 seeking impleadment, stands closed and is disposed of.

(S.V.G., CJ.) (D.B.C.,J.)
13.10.2023

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in W.A.No.1233 of 2023

13.10.2023