



WEB COPY

W.P.No.23626 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23626 of 2017
and
W.M.P.No.24815 of 2017

P.Palanivel

... Petitioner

Vs.

1.The District Revenue Officer,
Collectorate,
Villupuram.

2.The Revenue Divisional Officer,
Kallakurichi.

3.The Tahsildar,
Chinnasalem Taluk,
Chinnasalem.

4.Govindan

5.Rameshbabu

6.Ramesh

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the 1st respondent pertaining to the proceedings in செ.மு. Order No. 3/20682/2014 dated 24.05.2017 and quash the same.



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For Petitioner	: Mr.T.DeeRaj for M/s.P.V.Law Associates
For R1 to R3	: Mr.D.Ravichander, Special Government Pleader
For R4 to R6	: Mr.V.Gunasekar

ORDER

The order impugned dated 24.05.2017 issued by the District Revenue Officer, Villupuram, cancelling the patta granted in favour of the petitioner is under challenge in the present Writ Petition.

2. The order impugned itself states that an aggrieved person may prefer an appeal before the competent Court of law for the purpose of redressal of the grievances. The facts, as stated apparently reveals that there is a dispute existing between the petitioner and the respondents 4 to 6. That apart, a Civil Suit has already been instituted in O.S.No.804 of 2007 on the file of the District Munsif Court, Kallakurichi.

3. The learned Special Government Pleader brought to the notice of this Court that the Suit was dismissed for default and it is not clear as to whether the Suit was restored or not.



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4. May that as it be. Patta would not confer any title. When dispute exist between the parties in respect of an immovable property, the revenue authorities are incompetent to adjudicate the issues relating to title or ownership. Only after crystallization of civil rights between the parties, patta proceedings can be initiated under the provisions of the Tamil Nadu Patta Passbook Act, 1983. If the Suit has already been instituted, after reaching finality in the civil litigations, either of the party is at liberty to submit an appropriate application before the competent authority under the provisions of the Tamil Nadu Patta Passbook Act, 1983 for the purpose of grant of patta, cancellation of patta or mutation of revenue records, as the case may be.

5. With this clarification, the Writ Petition stands disposed of.
No costs.

17.08.2023

skr
Index : Yes
Speaking order
Neutral Citation : Yes



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To

- 1.The District Revenue Officer,
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- 2.The Revenue Divisional Officer,
Kallakurichi.
- 3.The Tahsildar,
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S.M.SUBRAMANIAM, J.

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