



W.P.No.16499 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.16499 of 2017

and

W.M.P.No.17846 of 2017

1. A.Saroja

... Petitioner

Vs.

1. The District Revenue Officer,
O/o. District Collector Office,
Villupuram,
Villupuram District.

2. S.Amutha

3. C.Raja

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, to call for the records relating to the proceedings of the 1st respondent in Se.mu.Aanai.No.Aa3 / 16488 / 2015, dated 10.08.2016 and quash the same.



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For Petitioner : Mr.K.Shree Vishnu, for
M/s.DBalachandran
For Respondents :
(for R1) : Mr.E.Sundaram, Govt. Advocate
(for R2) : Mr.V.Gunasekar, for
Mr.V.R.Kamalanathan
(for R3) : No Appearance

ORDER

The order impugned dated 10.08.2016 passed by the District Revenue Officer Villupuram is under challenge in the present writ petition.

2.The petitioner states that the Government Poramboke land was assigned in favour of his late father Late. Govindasamy Naidu by an order dated 30.09.1965. Subsequently, a separate patta was issued in the name of the father of the writ petitioner and he was in possession and enjoyment of the entire land. The father of the writ petitioner died on 03.02.1989 and thereafter, the petitioner inherited the property and is in possession and enjoyment of the same.

3.The petitioner states that he was cultivating the entire extent of land. The petitioner submitted an application for correction in UDR pata. The District Revenue Officer adjudicated the issues with reference to the



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claims set out by the petitioner with his application to correct the UDR patta. The District Revenue Officer elaborately considered all the documents and made a finding that there is no error occurred in the UDR patta and if at all, the petitioner is aggrieved, he has to approach the competent Civil Court of law.

4.It is brought to the notice of this Court that the second respondent had instituted a suit in O.S.No.1168 of 2004 and the suit decreed in favour of the second respondent. The writ petitioner filed an Appeal Suit in A.S.No.34 of 2010, which was dismissed by the First Appellate Court.

5.This being the factum established, the High Court cannot now re-adjudicate the disputed civil issues between the parties which were already adjudicated before the Civil Court. Both in the suit as well as in the First Appeal, the writ petitioner is a party and that being the factum, this Court cannot reconsider the issues which were adjudicated before the competent Civil Court.

6.More so, the District Revenue Officer, based on the documents available, made a finding that there is no irregularity or error in the UDR patta as per the records and thus, the petitioner has not made out any



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acceptable ground for the purpose of considering the relief sought for in the present writ petition.

7. Accordingly, the writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

(sha)

04.07.2023

Index : Yes

Speaking Order

Neutral Citation : Yes

To

The District Revenue Officer,
O/o. District Collector Office,
Villupuram,
Villupuram District.



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S.M.SUBRAMANIAM. J.,

(sha)

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