



W.P.Nos.34853 of 2019 & 698 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.34853 of 2019 & 698 of 2020

and

W.M.P.No.831 & 832 of 2020

Mrs.V.Rajeswari

...Petitioner in both WPs.

-Vs-

1.The District Collector,
Tiruvallur, Tiruvallur District.

2.The District Revenue Officer,
Tiruvallur, Tiruvallur District.

3.The Tasildar,
Ponneri Taluk,
Ponneri, Tiruvallur District.

4.P.Balaraman

5.P.Vijayan

6.P.Hari Krishnan

...Respondents in WP.34853/2019

1.The District Collector,
Tiruvallur, Tiruvallur District.



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2.The District Revenue Officer,
Tiruvallur, Tiruvallur District.

3.The Revenue Divisional Officer,
Ponneri Taluk, Ponneri,
Tiruvallur District.

4.The Tasildar,
Ponneri Taluk,
Ponneri, Tiruvallur District.

5.P.Balaraman

6.P.Vijayan

7.P.Hari Krishnan

...Respondents in WP.698/2020

Prayer in WP.34853/2019:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the Respondents 2 and 3 to consider and pass orders on the petitioner's representation dated 23.5.2017 made for cancelling the Patta No.958 issued by the 3rd Respondent in favour of the Respondents 4 to 6 in respect of property comprised in Survey No. 220/4, Vellivoyalchavadi Village, Minjur, Ponneri Taluk, Tiruvallur District within a time frame as may be fixed by this Honble Court.

Prayer in WP.698/2020:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the 3rd respondent's impugned proceedings in NA.KA.NO. 336/2014/A1, dated 14.7.2016 and quash the same and directing the respondents 1 to 4 and to restore patta No.96



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granted in favour of the Petitioner in respect of the property comprised in Survey No.220/4, Vellivayalcahaadi village, Minjur, Ponneri Taluk, Tiruvallur district.

For Petitioner
in both WPs. : Mr.T.N.Rajagopalan for
M/s.Vijay Prashanth

For Respondents in WP.34853/2019 :
(for R1 to R3) : Mr.T.Arun Kumar, AGP
(for R4) : No Appearance
(for R5 to R7) : Mr.G.Sarath Babu for
Mr.N.R.R.Arun Natarajan

For Respondents in WP.698/2020 :
(for R1 to R4) : Mr.T.Arun Kumar, AGP
(for R5 to R7) : No Appearance

COMMON ORDER

The writ petition in W.P.No.34853 of 2019 has been filed to direct respondents 2 and 3 to consider and pass orders on the petitioner's representation dated 23.5.2017. Subsequently, the petitioner filed another writ petition in WP.No.698 of 2020, challenging the order passed by the 3rd respondent in a proceeding dated 14.07.2016, granting patta to the contesting respondents.



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2.The learned counsel appearing for the petitioner made a submission that the Civil Dispute between the parties is pending before the High Court in Second Appeal No.1502 of 2007. During the pendency of the civil dispute between the parties before the competent Court, the Revenue authorities shall not grant patta or cancel the patta granted or otherwise. The Revenue authorities in such circumstances have to relegate the parties to resolve the issues through the Civil Court of law.

3.In the present case, the civil disputes are pending before the High Court between the parties in the second appeal as stated above and therefore, all the Revenue proceedings issued in favour of either of the parties are to be kept in abeyance, till such time the civil disputes reach finality. Accordingly, the revenue records granting of patta or cancellation of patta or other proceedings in connection with the subject property are kept in abeyance.

4.The respondents are directed to make necessary entries in the suit register maintained by the 3rd respondent, and after resolving the civil disputes, either of the parties is at liberty to submit an application to the authority for the purpose of securing patta or its cancellation or otherwise.



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WEB COPY 5. Accordingly both the writ petitions are **disposed of**. No costs.

Consequently, connected miscellaneous petitions are closed.

(sha)

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Index : Yes

Speaking Order

Neutral Citation : Yes

To

1. The District Collector,
Tiruvallur, Tiruvallur District.
2. The District Revenue Officer,
Tiruvallur, Tiruvallur District.
3. The Revenue Divisional Officer,
Ponneri Taluk, Ponneri,
Tiruvallur District.
4. The Tasildar,
Ponneri Taluk,
Ponneri, Tiruvallur District.



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S.M.SUBRAMANIAM. J.,

(sha)

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