



WEB COPY



W.P. No. 19487 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2023

CORAM

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No. 19487 of 2017

and

W.M.P. No. 21035 of 2017

Madhappan

... Petitioner

-VS-

1. The district Revenue Officer
Dharmapuri District
Dharmapuri.

2. The Tahsildar
Palacode
Dharmapuri District.

3. Subramani

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling upon the records of the first respondent in Na.Ka.No.11082/2016 (Pa.2) dated 12.06.2017 and quash the same.

For Petitioner : Mr. Gowrishankar
For G.Jeremiah

For Respondents : Mr. P.Sanjay Gandhi
Government Advocate (R1 & R2)
Mr. P.Valliappan
Senior Counsel
For M/s. P.V.Law Associates (R3)



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ORDER

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The order impugned, cancelling the patta during the pendency of the Civil Suit is sought to be quashed in the present writ petition.

2. The petitioner states that he is the owner of the property described in the writ petition and patta was originally granted in his favour. The 3rd respondent submitted an application to cancel the patta, which was allowed by the respondents. And thus, the petitioner is constrained to move the present writ petition.

3. The learned counsel for the petitioner states that the impugned order was passed during the pendency of the Civil Suit between the parties. The suit was instituted for Partition and the suit was dismissed and the appeal suit was allowed in A.S.No.33/2022 on the file of the Principal District Judge, Dharmapuri.

4. In view of the fact that the partition suit decreed, the respective parties are at liberty to approach the competent Revenue authorities for grant of patta, cancellation of patta or mutation of revenue records based on the decree passed



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in the appeal suit under Section 14 of the Patta Passbook Act. The decree produced is to be honoured and implemented by the revenue authorities. Thus, the parties are at liberty to approach the authorities competent for redressal of their grievances in the matter of entries in the Revenue records.

5. Accordingly, the writ petition stands disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

04.07.2023

kak/skr

Index : Yes

To

1. The district Revenue Officer
Dharmapuri District
Dharmapuri.
2. The Tahsildar
Palacode
Dharmapuri District.



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S.M.SUBRAMANIAM, J.

kak/skr

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