



W.A.(MD).No.1076 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.12.2023

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.A.(MD).No.1076 of 2015
and
M.P.(MD).No.1 of 2015

Krishnan Pillai (Died)

.. Appellant/4th Respondent

1.Venkatachalam

2.Jeyakodi

3.Sundarambal

4.Indhiragandhi

5.Devika

6.Pavunammal

.. Appellants

(Appellants 1 to 6 are substituted in the place of the deceased sole appellant vide Court order dated 29.08.2023 made in C.M.P.(MD).No.11254 of 2023 in W.A.(MD).No.1076 of 2015)

Vs.

1.The District Revenue Officer,
Thanjavur District,
Thanjavur.



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2.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.

3.The Tahsildhar,
Perayurani Taluk,
Peravyurani,
Thanjavur District.

.. Respondents 1 to 3/Respondents 1 to 3

4.Selvaraju

.. 4th Respondent/Writ Petitioner

5.Mohammed Abubacker

.. 5th Respondent/5th Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed in W.P.(MD).No.11678 of 2015 dated 09.09.2015.

For Appellants	: Mr.M.Sridharan
For R-1 to R-3	: Mr.SP.Maharajan Special Government Pleader
For R-4	: Mr.N.Dilip Kumar
For R-5	: No appearance

JUDGMENT

(Judgment of the Court was delivered by S.M.SUBRAMANIAM,J.)

The order dated 09.09.2015 passed in W.P.(MD).No.11678 of 2015 is under challenge in the present Writ Appeal.



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2. The respective learned counsels appearing on behalf of the parties to the *lis* on hand made a submission that a civil suit has already been instituted in O.S.No.375 of 2018 on the file of the Sub Court, Thanjavur.

3. Patta/revenue proceedings would confer no title. Therefore, the parties have to establish their respective rights before the Civil Court based on the documents and evidences independently. In view of the fact that the civil suit is pending, we are not inclined to go into the merits of the case. However, all the revenue proceedings issued by the competent revenue authorities are kept in abeyance till such time, the suit is disposed of by the Civil Court and after reaching finality, either of the parties are at liberty to submit an application under the Tamil Nadu Patta Passbook Act, 1983, for the purpose of grant of patta, cancellation of patta or to mutate the revenue records as the case may be.



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4. Accordingly, the Writ Appeal stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(S.M.S.,J.) (V.L.N.,J.)
15.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

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Thanjavur.
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