



W.A.(MD).No.2166 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.A.(MD)No.2166 of 2023

Murugesan

.. Appellant

Vs.

1.The District Collector,
Karur, Karur District.

2.The Sub-Collector / Revenue Divisional Officer,
Kulithalai, Karur District.

3.The Tahsildar,
Kulithalai Taluk, Karur District.

4.Palaniyammal

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 07.11.2023 made in W.P.(MD).No.15395 of 2021 on the file of this Court.

For Appellant : Mr.R.Murugappan

For R1 to R3 : Mr.S.Kameswaran, Government Advocate



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JUDGMENT

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

The order dated 07.11.2023 passed in W.P.(MD)No.15395 of 2021 is under challenge in this Writ Appeal.

2.The writ petitioner is the appellant before us. The prayer sought for in the Writ Petition is to direct the 2nd respondent to include the name of the writ petitioner's deceased father, namely, Thirumalai in patta No.2154 with respect to the subject property.

3.The learned Single Judge recorded the fact that the writ petitioner conveniently concealed all the material facts and filed Writ Petition under the provisions of the Tamil Nadu Patta Passbook Act, 1983. If a civil Suit is pending, the parties have to crystallize the civil right directly by approaching the revenue authority for grant of patta, cancellation of patta and to mutate the revenue records.



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4. In the present case, the suit filed by the 4th respondent against the writ petitioner was decreed and the first appeal filed by the writ petitioner was dismissed for default. Therefore, the writ petitioner has to workout his remedy before the civil Court and after reaching finality, any of the party has to approach the revenue authorities for making necessary changes in the patta proceedings. Accordingly, this Writ Appeal stands dismissed. No costs.

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

21.12.2023

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

Yuva

To

1. The District Collector,
Karur, Karur District.

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