



W.P.No.26076 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTAR

W.P No.26076 of 2024

M.Devaraj

...Petitioner

Vs.

1. The District Collector,
O/o. The District Collector,
Krishnagiri District, Krishnagiri.
2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District.
3. The Tahsildar,
O/o.The Tahsildar,
Soolagiri Taluk,
Krishnagiri District.
4. The Village Administrative Officer,
O/o. The Village Administrative Officer,
Dhoripalli Village, Soolagiri Taluk,
Krishnagiri District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to cancel the UDR Patta issued by the third respondent in respect of the petitioner's property bearing Survey No.393/6, Paimash No.32 an extent of 0.07 cents and transfer



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the patta in the name of the petitioner to an extent of 0.11 cents situated at Beemanapalli Village, Dhoripalli Post, Soolagiri Taluk, Krishnagiri District within the stipulated period fixed by this Court.

For Petitioner : Mr.C.Samivel
For Respondents : Mr.G.Krishnaraja
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to cancel the UDR Patta issued by the third respondent in respect of the petitioner's property bearing Survey No.393/6, Paimash No.32 an extent of 0.07 cents and transfer the patta in the name of the petitioner to an extent of 0.11 cents situated at Beemanapalli Village, Dhoripalli Post, Soolagiri Taluk, krishnagiri District within the stipulated period fixed by this Court.

2. According to the petitioner, the above mentioned property belongs to him and during updation of the revenue records the same was wrongly classified as "Pathai" and hence the petitioner filed a suit in O.S.No.144 of 2023 on the file of the learned District Munsif Court, Krishnagiri seeking declaration of title and for consequential injunction restraining the respondents 1 to 4 from disturbing the peaceful possession and enjoyment of the suit property.



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3. Admittedly the title dispute with regard to the above mentioned property is the subject matter of the suit in O.S.No.144 of 2023 filed against the official respondents. Therefore, if the petitioner succeeds in the civil litigation automatically he is entitled to get patta in his name based on the decree that may be passed in the suit. When the Civil litigation is pending before the competent Civil Court, this Court is not inclined to issue any positive direction to the respondents to consider the request of the petitioner for altering the classification of the land and to issue patta in the name of the petitioner.

4. Accordingly, this writ petition is disposed of with a direction to the petitioner to approach the third respondent for mutation of revenue records based on the Civil Court decree. No costs.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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S. SOUNTHAR, J.



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