



W.P(MD)No.5765 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED: 06.06.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.5765 of 2024**

R.Thandapani

... Petitioner

Vs.

1.The District Revenue Officer,  
O/o.The District Revenue Officer,  
Collector Office Campus,  
Madurai,  
Madurai District.

2.Baskaran

3.Dhanalakshmi

4.Muthuselvi

5.Ramprabhu

6.Radha

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent in Ni.Mu.No. 561850/2023/Ji. dated 27.12.2023 to quash the same as unconstitutional



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and illegal and consequently direct the first respondent to issue joint patta as per before UDR correction.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.K.Balasubramani  
Special Government Pleader  
for R.1

Mr.J.Bharathan for R.2 to R.6

### **ORDER**

The case on hand pertains to Survey No.235/13 corresponding to Survey No.87/13, Vandiyur Village. The case of the petitioner is that during UDR, mistake took place and he approached the District Revenue Officer for correction. The District Revenue Officer took the stand that civil suit is pending between the parties in O.S.No.251 of 2022 on the file of Sub Court, Melur and that therefore in view of the circular dated 13.03.2018 issued by the Commissioner of Land Administration, Chennai, the District Revenue Officer cannot interfere in the matter. So saying, the petitioner's representation was negatived. Challenging the same, the present writ petition came to be filed.

2.It is true that when the civil Court is seized of the matter, the authorities should keep their hands off. But this hands off approach



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cannot work to the advantage of the person who had disturbed the *status quo*. My attention is drawn to the revenue record enclosed at Page No.96 of the typed set of papers. It is seen therefrom that Patta No.279 mentioned the names of Karupanan Servai, Dhandapani and Periyasamy Servai. But during UDR, mutation was made and legal heirs belonging to Karupanan servai branch alone were reflected. I wanted to know if before making such mutation, legal heirs belonging to R.Dhandapani branch were put on notice. It appears that no notice was issued to the legal heirs belonging to Dhandapani branch.

3.The learned counsel appearing for the petitioner is fair enough in stating that he only wants restoration of the *status quo ante* and the rights of the parties can abide by the outcome of the civil suit. No exception can be taken to the said request.

4.I direct the first respondent to restore the *status quo ante* that prevailed prior to URD. In other words, the revenue record should reflect the names of Karupanan Servai, Dhandapani and Periyasamy Servai. The rights of the parties will abide by the outcome of the civil suit that is now pending before the Sub Court, Melur. This mutation shall be carried



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out immediately and without any delay. The impugned order is interfered with to the extent mentioned above.

5.This writ petition is allowed accordingly. There shall be no order as to costs.

**06.06.2024**

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

To

The District Revenue Officer,  
O/o.The District Revenue Officer,  
Collector Office Campus,  
Madurai,  
Madurai District.

Copy to

The Sub Court, Melur.



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**G.R.SWAMINATHAN,J.**

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