



W.A(MD)No.1420 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.1420 of 2024
and
C.M.P(MD)No.10979 of 2024**

1.KR.K.Karuppaiya
2.AL.Karuppaiah Chettiar ... Appellants/Respondents 5 and 6

-vs-

1.N.Mangayarkarasi ... 1st Respondent/Writ Petitioner

2.The District Revenue Officer,
Sivagangai District, Sivagangai.

3.The Revenue Divisional Officer,
Devakottai, Sivagangai District.

4.The Thasildar,
Thiruppathur Taluk,
Sivagangai District.

5.Arumugam ... Respondents 2 to 5/Respondents 1 to 4

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order dated 23.01.2024 made in W.P(MD)No.17585 of 2020.

For Appellant	:	Mr.R.Gowrishankar
For R-1	:	Mr.V.Thiruma
For R-2 to R-4	:	Mr.P.T.Thiraviyam, Government Advocate
For R-5	:	Mr.S.Rajasekar for M/s.Lajapathi Roy and Associates



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JUDGMENT

WEB COPY [Judgment of the Court was made by R.SUBRAMANIAN, J.]

The appellants are aggrieved by the order of the writ Court dated 23.01.2024 made in W.P(MD)No.17585 of 2020 in and by which the Writ Court directed the appellants to approach the civil Court seeking appropriate remedy.

2. It is seen from the records that a suit in O.S.No.103 of 2017 filed by one Mr.Arumugam against the appellants and others is pending on the file of the District Munsif Court, Thruppathur. The appellants have also filed a counter claim in the said suit seeking declaration of their title and recovery of possession.

3. It is common knowledge that the revenue records are maintained by the Government only for collection of taxes. Revenue records do not determine title. All that the writ Court has done is to direct the appellants to file a civil suit and establish their rights in a manner known to law. In fact, in the order impugned in the writ petition, the District Revenue Officer, Sivagangai District, has also stated the same thing but he had however directed restoration of the records in the names of the appellants on the ground that the original register stood in the name of their ancestors. This part of the order alone has been set aside by the learned



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single Judge. The learned single Judge has held that rights of the parties will depend on the conclusion reached by the civil Court in the suit that is already pending.

4. We, therefore, do not see any scope for interference in the order of the learned single Judge. We, however, make it clear that the observations made by the Officers in these proceedings or by the Writ Court will not in any manner affect the rights of the parties and the civil Court will independently decide the question of title.

5. The writ appeal is disposed of with the above observations. No Costs. Consequently, connected Miscellaneous Petition is closed.

[R.S.M., J.]

[L.V.G., J.]

19.08.2024

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

To:

- 1.The District Revenue Officer,
Sivagangai District, Sivagangai.
- 2.The Revenue Divisional Officer,
Devakottai, Sivagangai District.
- 3.The Thasildar,
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Sivagangai District.

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pm

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