



W.P.No.7433 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 14.03.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

**W.P.No.7433 of 2025**

**&**

**W.M.P.No.8317 of 2025**

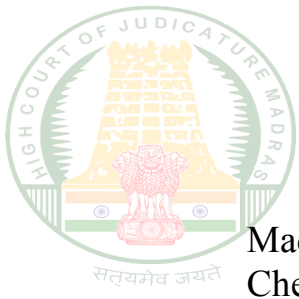
Messrs.Mike Agro Farms Private Limited  
represented by its Managing Director  
R.Kumar  
No.5/26, Ori Street  
Mugappair East  
Chennai – 600 037

... Petitioner

VS.

1. The District Collector  
District Collector Office  
Chengalpettu District  
Chengalpettu
2. The District Revenue Officer  
District Collector Office  
Chengalpattu District
3. The Revenue Divisional Officer  
Madurantakam Taluk  
Chengalpattu District
4. The Tahsildar

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Madurantakam Taluk  
Chengalpettu District  
Chenkalpattu

5. P.Sekar

S/o.A.Perumal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records pertaining to the impugned order passed the second respondent in his proceedings Na.Ka.No.10415/2022/L2 dated 26.10.2023 on the file of the District Revenue Officer, Chenkalpattu and quash the same as illegal.

For Petitioner : Mr.S.Senthil Kumar

For Respondents : Mr.M.S.Arasakumar  
Government Advocate for R1 to R4

### **ORDER**

[Order of the Court was made by **K.GOVINDARAJAN THILAKAVADI, J.,**]

Captioned writ petition is filed with a certiorari prayer challenging the order dated 26.10.2023 bearing reference Na.Ka.No.10415/2022/L2 passed by the second respondent.

2. Mr.S.Senthil Kumar, learned counsel for writ petitioner submits that the writ petitioner Company has purchased a land in S.No.147/1A2 at Mathuranthakam Taluk and developed the same into farm lands and sold it

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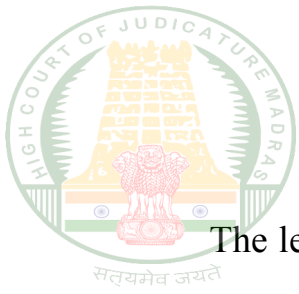
to third parties. While so, the fifth respondent filed a writ petition in W.P.No.33891 of 2012 contending that the writ petitioner is an encroacher in the said property and this Court disposed of the said writ petition vide order dated 17.12.2013 directing the Thasildhar, Maduranthakam Taluk, Kancheepuram District to survey the said land and that if any encroachment is found, to take necessary action. As per the direction in the said writ petition, an enquiry was conducted by the third respondent herein who declared the petitioner land in S.No.147/1A2 as Boomidhana land vide order dated 20.11.2015. Aggrieved by this, the writ petitioner filed an appeal before the second respondent in which the second respondent passed an order dated 26.10.2023 in Na.Ka.No.10415/2002/L2 concluding that the subject land is a Boomidhana land. Aggrieved by the said order, the writ petitioner has preferred the present writ petition to quash the same.

3. Issue notice.

4. Mr.M.S.Arasakumar, learned Government Advocate accepts notice for R1 to R4.

5. The learned Government Advocate, on instructions, submits that as on today no action is taken to evict the writ petitioner from the said land.

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The learned State counsel also made reference to a judgment of the Hon'ble Supreme Court dated 06.02.2020 made in Civil Appeal No.1318 of 2017 in the case of **Edelweiss Asset Construction Company Ltd. vs.R.Perumalswamy and others**. Learned State Counsel drew our attention to paragraph 19 which reads as follows:

*'19. Under the Tamil Nadu Patta Pass Book Act 1983 and the Tamil Nadu Patta Pass Book Rules, 1987, the Tahsildar is not empowered to adjudicate upon a 'title dispute'. A combined reading of Section 14 and Rule 14(4) indicates that where there exists a dispute with respect to ownership of a land between parties with respect to a patta entry, the correct procedure to be adopted is to approach a civil court having competent jurisdiction. The entry records will be updated on the basis of the decree of the civil court upon adjudication.'*

6. Thus submitted, since there is a title dispute with respect to ownership and patta entry, the writ petitioner shall approach a civil Court having competent jurisdiction.

7. Considering the submissions made by the learned State counsel and relying on the judgment of Hon'ble Supreme Court in **Edelweiss Asset Construction Company** case, we deem it appropriate to relegate the writ petitioner to approach the civil Court to raise all his contentions before it. It



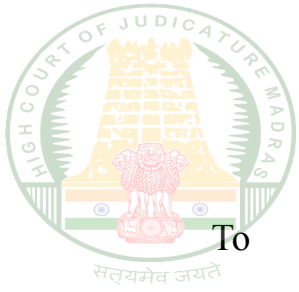
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is open to the Civil Court to scrutinise the orders made by the Revenue Divisional Officer and District Revenue Officer and decide the case on its own merits and in accordance with law. Therefore, we neither set aside the impugned order nor sustain the same. We also make it clear that all rights and contentions of the writ petitioner are preserved for the purpose of being canvassed in the civil Court, if so advised and if so desired.

8. In the light of the above narrative and discussion, we dispose of the captioned WP as closed by neither acceding to nor rejecting the certiorari prayer leaving it open to the writ petitioner to approach the civil Court and seek an appropriate remedy. Consequently, the connected writ miscellaneous petition is closed. There shall be no order as to costs.

(M.S.,J.) (K.G.T.,J.)  
14.03.2025  
(½)

Index : Yes/No  
Neutral Citation : Yes/No  
*gpa*



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To

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Chengalpettu District  
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Chenkarpattu



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*W.P.No.7433 of 2025*

**M.SUNDAR, J.,  
and  
K.GOVINDARAJAN THILAKAVADI, J.,**

*gpa*

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