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W.P.No.2472 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.2474 of 2025

and W.M.P.Nos.2782 & 2783 of 2025

1. M.Sangeetha

2. A. Nalini

...Petitioners

-Vs-

1. The District Revenue Officer,
Cuddalore.

2. The Revenue Tahsildar,
Panruti Taluk Office,
Cuddalore District.

3. Mohanasundharam

(R3 impleaded as per order
of this Court dated 08.05.2025
in W.M.P.No.18772 of 2025
in W.P.No.2474 of 2025)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, to call for the records
pertaining to Na.Ka.V.2/3805/2013 dated 06.08.2013 passed by the first



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respondent and quash the same and further direct the respondents to issue patta in favour of petitioners' in respect of the lands comprised in new S.No.164/1B of Marungur Village, Panruti Taluk, Cuddalore District.

For Petitioners : Mr.R.Sreedhar
For Ms.I.Ramya



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For Respondents

For R1 & R2 : Mr.N.Naveen Kumar

Government Advocate

For R3 : Mr.A.E.Chellaiah, Senior Counsel

For Mr.A.Ahamed Rhilah

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 06.08.2013, thereby registering patta in the name of the original assignee, in respect of the land comprised in survey No.164/1B situated at Marungur Village, Panruti Taluk, Cuddalore District.

2. The property comprised in Old survey Nos.765/1A2 & 765/1B2 new survey No.164/1 situated at Marungur Village, Panruti Taluk, Cuddalore District, to an extent of 9.33 acres originally belongs to one K.Senjilakshmi. She purchased the said property by way of sale deed date 02.01.1976 registered vide document No.26/1976. The petitioners after verifying the revenue records, they had purchased the property of two acres out of 9.33 acres by the registered sale deed dated 23.08.2007

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vide document Nos. 792 & 793 of 2007. Thereafter revenue records were

also mutated in favour of the petitioners. Thereafter, the petitioners came to understand that the revenue records in respect of the subject property to an extent of 4.39 acres restored in the name of one Manickam and the land ad measuring 4.94 acres were classified as government proamboke.

3. The learned counsel appearing for the petitioners would submit that without any notice to the petitioners and without any hearing opportunity to the petitioners, the first respondent passed the order. Hence, he prayed to allow this petition.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. On perusal of the records, it is revealed that the very same order also challenged by the petitioners' vendor before this Court in

W.P.No.25484 of 2013 and this Court by an order dated 02.01.2020

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passed the following orders:-

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“3. The reason for cancellation of the assignment was on account of violation of conditions of assignment because the lands were assigned to people belonging to scheduled caste community. According to the first respondent, the assignee has no right to transfer the property and any transfer, if effected, is a nullity.

4. The petitioner is before this Court challenging the jurisdiction of the first respondent to pass the impugned order stating that the Appropriate Authority to deal with the issues such as the issue, which has arisen in this writ petition, is the Revenue Divisional Officer. It is further contended that the Competent Authority to mutate the revenue records namely patta is the Tahsildar and that the first respondent has no jurisdiction to direct transfer of patta in favour of the said Mr.Manickam. It is also contended that she filed civil suit in O.S.No.132 of 2013 on the file of the District Munsif Court, Panruti against private parties and prayed for a declaratory



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relief to declare the title of the petitioner over the property in question and to restrain the private parties from interfering with her possession. An ex parte decree was passed by the civil court on 20.8.2014. However, the private respondents filed an application to set aside the ex parte decree and the same is stated to be pending before the concerned civil court.

5. In the considered opinion of this Court, if a condition of assignment is violated, any transaction done in violation of such condition is a nullity. Firstly, the petitioner has to succeed in establishing that she is entitled to be the owner of the property in her individual right, that her vendor had a right to sell the property in favour of the petitioner and that the sale deed executed by him dated 02.1.1976 is valid in the eye of law. Without establishing the same, the petitioner would have no locus standi to question the impugned proceedings passed by the first respondent canceling the assignment and issuing patta in favour of the said Mr.Manickam.

6. Therefore, unless and until the petitioner is able



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to establish her right stating that her vendor had lawful right over the property to sell the same by virtue of a sale deed dated 02.1.1976, the petitioner cannot challenge the impugned proceedings dated 06.8.2013. The relief sought for by the petitioner in this writ petition cannot be granted.

7. Accordingly, while dismissing the writ petition, it is left open to the petitioner's vendor had a lawful right to execute the sale deed dated 02.1.1976. Before the civil court, the petitioner is entitled to raise all factual and legal contentions and if so advised, implead the first respondent herein namely the District Revenue Officer, Cuddalore as one of the defendants in the said suit, so that the petitioner would be able to raise all contentions and the correctness of the order dated 06.8.2013 can also be gone into by the civil court. No costs. Consequently, the connected MP is also dismissed."

It was dismissed and as per the direction issued by this Court, the District Revenue Officer Cuddalore has been impleaded as defendant in the said suit. Now, the said suit is pending.



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6. In view of the above discussions, this Court finds no infirmity or illegality in the order passed by the second respondent, and the Writ Petition is devoid of merits and is liable to be dismissed. The petitioners are at liberty to implead themselves as parties to the suit in O.S.No.132 of 2013 on the file of the District Munsif Court, Panruti, and pursue their rights before the civil Court.

7. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no orders as to costs.

17.10.2025

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Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

rts



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Cuddalore.

2. The Revenue Tahsildar,
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