



W.P.No.1142 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM:

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

W.P.No.1142 of 2019

and

W.M.P.Nos.1297 and 4852 of 2019

R.Padmachand Jain

... Petitioner

Vs.

1. The District Revenue Officer,
Tiruvallur District,
Tiruvallur.
2. The Sub-Collector,
Tiruvallur Revenue Division,
Tiruvallur – 602 001.
3. The Tahsildar,
Uthukkottai Taluk Office,
Uthukkottai,
Tiruvallur District.
4. Kothanda Naidu
5. Venkatesa Naidu (Deceased)
6. Sudhakar,
7. K.Ramesh



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8. V.Sulochana

(R8 substituted as LR of Deceased R5 as per order
dated 07.06.2024 in W.M.P.No.16766 of 2024
in W.P.No.1142 of 2019)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution praying to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent in respect of the impugned order, Na.Ka.10806/2018/A3, dated 20.12.2018 and quash the same as arbitrary, unsustainable and illegal and consequently direct the first respondent to restore the patta in respect of the property, being agricultural land, comprised in Survey No.165/4A, measuring acre 1.16 cents, situate at Manjankaranai Village, Uthukottai Taluk, Tiruvallur District in the name of the petitioner.

For Petitioner : Mr.R.Munuswamy

For Respondents: Mr. G.Velu,
Additional Government Pleader
(for R1 to R3)

Mr.P.Krishnan (for R4, R6, R7 & R8)

R5 Died (steps taken)

ORDER



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This Writ Petition has been filed challenging the order passed by the first respondent, thereby allowing the appeal filed by the fourth and fifth respondents herein, and cancelling the patta issued in favour of one Ramesh, and directing the issuance of patta in favour of the fourth and fifth respondents.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The fifth respondent had died and his legal heir has been brought on record as the eighth respondent herein. The petitioner, claiming to be the owner of the property comprised in S.No.1658/4A, measuring an extent of 1.16 acres, together with an agricultural electricity service connection bearing No.16, with a Tube Bore well, situated at No.92, Manjankaranai Village, Uthukkottai Taluk, Tiruvallur District. According to the petitioner, he had purchased the said property vide registered sale deed dated 17.11.2016, Document No.4816 of 2016, from the seventh respondent herein. Thereafter, the entire revenue records were mutated in favour of the petitioner, and patta No.733 was issued.



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4. Originally, the said property was assigned as Survey No.165/4, measuring an extent of 1.21 acres, and belonged to one Rajagopal Naidu, his son Madhava Naidu, and grandson K.Ramesh, who is the seventh respondent herein. While so, the seventh respondent derived title over the property and mutated the revenue records in his name as early as 1984-1985, and was issued patta; he also obtained an electricity service connection. Thereafter, five cents of land were acquired under the Tamil Nadu Highways Act for widening the four-way road from Kosasthalaiyar Bridge (Janapanchatram Koot Road) to Puttur.

5. In fact, the land acquisition proceeding was initiated after serving notice to the seventh respondent, and he was paid compensation. The remaining property, to an extent of 1.16 acres, was purchased by the petitioner for valid sale consideration. While being so, the fourth to sixth respondents disturbed the possession and enjoyment of the subject property, and as such, the petitioner filed a suit in O.S.No.44 of 2018 for injunction on the file of the District Munsif-cum-Judicial Magistrate Court, Uthukkottai, and it is pending for trial.



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6. In the meanwhile, the fourth and fifth respondents filed an application before the first respondent for cancellation of the patta issued in favour of the petitioner. The fourth and fifth respondents claimed title over the subject property by way of a sale deed executed by Narayanasamy Naidu and Kanniah in favour of one Subba Naidu, vide registered sale deed dated 11.08.1934. After the demise of the said Subba Naidu, his elder son, Veerasamy Naidu, derived title over the property. Thereafter, the fourth and fifth respondents, who are the sons of the said Veerasamy Naidu, derived title over the property.

7. While being so, under UDR, there was an error, and all the revenue records were mutated in favour of the seventh respondent in respect of the subject property. Therefore, the fourth and fifth respondents filed a petition before the first respondent. In fact, the seventh respondent and the petitioner were served with notice during the enquiry; they also filed a counter-affidavit. After conducting a due enquiry by giving an opportunity to both parties, the first respondent passed an order, thereby cancelling the patta issued in favour of the seventh respondent.

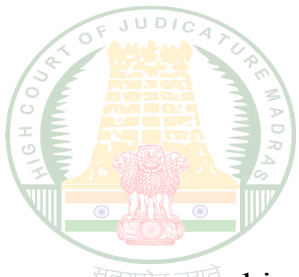


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8. Though the petitioner had purchased the subject property from the seventh respondent vide registered sale deed dated 17.11.2016 and filed a suit for injunction in respect of the subject property, only after the order was passed by the first respondent did the petitioner and the seventh respondent file a suit in O.S.No.55 of 2019 on the file of the Principal District and Sessions Court, Tiruvallur. In the said suit, the injunction suit filed by the petitioner in O.S.No.44 of 2018, which was transferred to the Principal District and Sessions Court, Tiruvallur, was also clubbed, and both suits are pending for trial.

9. In view of the above, this Court does not find any infirmity or illegality in the order passed by the first respondent. However, the petitioner is at liberty to approach the first respondent for appropriate relief, subject to the result of the said suits in O.S.No.44 of 2018 and O.S.No.55 of 2019. In the meanwhile, the petitioner and the fourth to eighth respondents are directed to maintain *status quo* in respect of the



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subject property.
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10. With the above directions, this Writ Petition is disposed of.
Consequently, the connected Miscellaneous Petitions are closed. No costs.

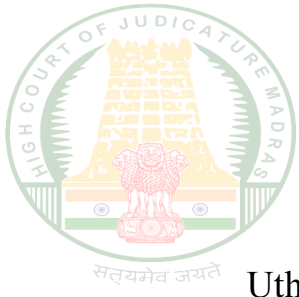
11.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kv

To

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