



W.P.No.14348 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14348 of 2015

D.Selvaraj

... Petitioner

Vs.

1.The District Revenue Officer,
Perambalur District,
Perambalur.

2.The Revenue Divisional Officer,
Perambalur District,
Perambalur.

3.The Thasildar,
Veppanthattai Taluk,
Perambalur District.

4.The Village Administrative Officer,
Veppanthattai Village & Taluk,
Perambalur District.

5.R.Selvam

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the order of the first respondent in Na.Ka.A2/20338/12 dated 10.03.2015 and quash the same.



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For Petitioner : Mr.C.K.M.Appaji
For Respondents : Mr.T.M.Rajangam for R1 to R4
Government Advocate
R5 – No Appearance

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorari calling for the records pertaining to the order of the first respondent in Na.Ka.A2/20338/12 dated 10.03.2015 and quash the same.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the owner of the property in Iyan S.No.168/10, Old S.No.869/10, Veppanthattai South Village, Veppanthattai Taluk, Perambalur District admeasuring 37 cents and he purchased the same from one Chella Pillai vide registered sale deed dated 03.11.2010 in Doc.No.3463 of 2010 on the file of the Sub Registrar, Veppanthattai and patta, chitta, adangal also transferred in his name. Whiles, the fifth respondent filed an application before the third respondent on 04.02.2011 seeking to cancel patta in respect of 28 cents in S.No.168/10 and the third respondent dismissed the said application on 23.11.2011 stating that the predecessors of the petitioner's vendor are the owners of the property and patta stood in their name all along



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and challenging the same, the fifth respondent filed appeal before the second respondent and the second respondent vide order dated 20.11.2012, dismissed the appeal. Thereafter, the fifth respondent filed appeal before the first respondent and also filed a suit in O.S.No.40 of 2013 on the file of the District Munsif Court, Perambalur, for declaration of title and permanent injunction and the same is pending. Whiles, the first respondent passed the impugned order allowing the appeal filed by the fifth respondent. The learned counsel further submitted that when the civil suit filed by the fifth respondent is pending the impugned order passed by the first respondent is not sustainable one.

3.The learned Government Advocate submitted that patta is only possessory rights and it does not confer any title over the property and further submitted that since the civil suit filed by the fifth respondent for declaration of title and permanent injunction is pending, this Court may observe that the impugned order is subject to the result of the said suit and may grant liberty to the succeeding party to file application before the appropriate forum for transfer of patta.



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4. Heard both sides and perused the materials available on record.

5. As rightly submitted by the learned Government Advocate patta is only possessory rights which was recognized by the revenue authorities and it does not confer any title over the property. Further the civil suit filed by the fifth respondent for declaration of title and permanent injunction is pending.

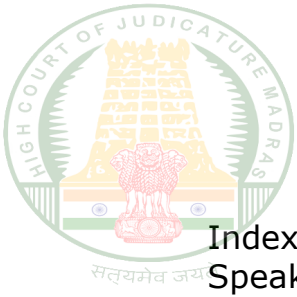
6. In view of the above, the impugned order of the first respondent dated 10.03.2015 is subject to the result of the suit in O.S.No.40 of 2013 pending on the file of the District Munsif Court, Perambalur. Liberty is granted to the succeeding party to file application before the appropriate authority for transfer of patta.

7. With the above observations and directions, the writ petition is disposed of. No costs.

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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