



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED 10.02.2025

CORAM

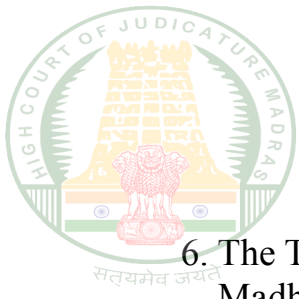
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3835 of 2025
WMP No.4365 of 2025

V.Chandran
Vs.

..Petitioner

1. The Secretary,
The Revenue Department,
Secretariat, St.George Fort,
Chennai 600 005.
2. The District Collector,
Collector Office, Thiruvallur,
Thiruvallur District,
Thiruvallur.
3. The District Collector,
Chennai Collector Office,
Singaravelan Maligai,
Chennai 600 001
4. The District Revenue Officer,
Thiruvallur.
5. Revenue Divisional Officer,
Thiruvallur.



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6. The Tahsildar,
Madhuravoyal Taluk,
Madhuravoyal, Chennai.

7. Mrs.Vedhavalli

8. P.J.Ramu

9. Mrs.A.Selvi

10. V.Malathi

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent 1 to 6 to dispose the petitioner representation dated 21.08.2024 to grant the patta on the petitioner property in survey No.188/1A, and now S.No. 414/ 1 as total extent of (900 sq ft) Porur village, Saidapet taluk, Chengalpattu District at then Porur village and Taluk, Thiruvallur district at now porur village, at Maduravoyal Taluk, Chennai District, as assignment of certificate dated 29.01.1988 issued by the 5th respondent within stipulated time.

For Petitioner : Mr.K.Natarajan

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R6

ORDER

This writ petition has been filed seeking for the issue of writ of Mandamus directing the respondents 1 to 6 to consider the representation



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made by the petitioner on 21.08.2024 wherein the petitioner is seeking for grant of patta for the subject property which is alleged to have been assigned in favour of the petitioner through certificate dated 29.01.1988.

2. Heard Mr.K.Natarajan, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader for Respondents 1 to 6.

3. On carefully going through the records, it is seen that a suit came to be filed by the private respondents seeking for the relief of declaration and possession. An ex-parte decree was passed through judgement and decree dated 28.07.2010 by the Principal District Munsif Court, Poonamallee. Pursuant to the same, execution petition has been filed and the same is pending.

4. The case of the petitioner is that the suit itself is not maintainable since the property belongs to the Government. Therefore, the petitioner has filed an application seeking for patta.

5. In the considered view of this Court, the petitioner cannot attempt to disregard a decree passed in the suit by filing a writ petition before this Court based on the representation made by the petitioner seeking for patta. If according to the petitioner, the suit is not maintainable and the decree is non-



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est in the eye of law, the petitioner has to challenge the civil proceedings in the manner known to law. The petitioner cannot ask this Court to disregard the civil proceedings and the decree passed in the civil proceedings and parallelly direct the official respondents to consider the application given by the petitioner seeking for patta. This Court cannot issue a writ of this nature. Therefore, unless and otherwise, the petitioner questions/ challenges the decree passed by the Civil Court, there is no question of directing the official respondents to deal with the representation made by the petitioner seeking for patta. Except giving this clarity, no further orders can be passed in this writ petition.

6. This writ petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

10.02.2025

Index : Yes/No
Internet : Yes/No
Speaking Order / Non Speaking Order
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N. ANAND VENKATESH, J.
rka

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