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W.P.No.2616 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2025

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P.No.2616 of 2022
and
W.M.P.Nos.2765 & 2767 of 2022**

N.Raman

..Petitioner

Vs.

1. The District Collector,
Chennai District,
Chennai.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai – 600 003.
3. The Regional Officer,
Greater Chennai Corporation,
South Chennai,
Southern Region,
No.115, Dr.Muthulakshmi Salai,
Adyar, Chennai – 600 020.
4. The Executive Engineer,
Greater Chennai Corporation,
South Chennai,
Southern Region,
No.115, Dr.Muthulakshmi Salai,
Adyar,
Chennai – 600 020.



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5. The Assistant Executive Engineer,
Greater Chennai Corporation,
Zone-13, Adayar
Chennai – 600 020.

6. The Revenue Divisional Officer,
Egmore Division,
No.89, Mayer Ramanathan Road,
Chennai – 600 031.

7. The Thasildar,
Velachery Taluk,
Chennai – 42.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the concerned records relating to the order in Na.Ka.No.A1/002/2017 dated 27.12.2017 passed by the 7th respondent and quash the same.

For Petitioner	: Mr.V.Raghavachari, Senior Counsel for Mr.L.Chandrakumar
For Respondents	: Mr.R.Ramanlaal, Additional Advocate General assisted by Mr.T.Arunkumar, Addl.Government Pleader for R1, R6 & R7 Mr.M.Sureshkumar, Addl.Advocate General, assisted by Ms.P.T.Rama Devi, Standing Counsel for GCC for R2 to R5



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ORDER

S.M.SUBRAMANIAM,J.

Writ Petition has been instituted challenging the proceedings dated 27.12.2017 issued by the Tahsildar, Velachery Taluk, addressing to the Revenue Divisional Officer, Egmore Division.

2. Learned Senior Counsel appearing on behalf of the petitioner would mainly contend that the petitioner Mr.N.Raman, is the absolute owner of the subject property and patta was granted in his favour. Since the patta has been cancelled without conducting proper enquiry, the present writ petition came to be instituted. Learned senior counsel would submit that admitting the title, the Tahsildar initially granted patta to the petitioner and subsequently, it was cancelled. Learned Senior counsel made an attempt to elaborate the ownership and the right of the petitioner to hold the property.

3. This Court is of the considered view that disputed fact of civil nature cannot be adjudicated in writ proceedings and in order to establish the title or ownership, the parties have to approach the competent civil Court. Regarding grant of patta, cancellation of patta and mutation of



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revenue records, aggrieved person has to approach the appellate authority for adjudication of issues. Even the revenue authorities under the Patta Passbook Act is not empowered to decide the title dispute or ownership. Section 3 of the Patta Passport Act, 1983, enumerates that patta can be granted to an owner. Thus, in the event of no dispute, patta is to be granted and disputed facts relating to civil rights, are to be determined only in the trial nature proceedings before the competent civil Court.

4. Learned Additional Advocate General appearing for the respondents 1st and 7th and the learned Additional Advocate General appearing on behalf of the Chennai Corporation would submit that as per the approved lay out, the subject land has been earmarked as OSR land, reserved for community purpose. Therefore, said property cannot be utilised for any other purpose other than the purpose for which it was earmarked in an approved lay out. The Apex Court in the case of *Association of Vasanth Apartments' Owners vs. V.Gopinath and others* (2023 SCC Online SC 137), held that the OSR land reserved are to be utilised only for the purpose for which it is reserved and conversion is impermissible. The Corporation has initiated action to construct community hall for public purpose and funds are also sanctioned. Further, the petitioner has produced documents which are all incorrect and suppression regarding



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the approval was also raised on behalf of the respondents.

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5. Per contra, the learned senior counsel for the writ petitioner would submit that the official respondents have submitted fake documents.

6. If at all any of the parties have produced any fake document, criminal prosecution may be launched for appropriate action. In respect of the approved lay out, the authorities competent have to scrutinise the documents and initiate all appropriate action to protect the OSR lands. Regarding the claim of the petitioner that he is the owner of the entire extent of land, he has to approach the civil Court of law for establishing his title/ ownership. Only after establishing title/ ownership, a person is entitled for patta by submitting an application to the revenue authorities under Section 3 of the Patta Passport Act, 1983. Therefore, the revenue authorities are not empowered to decide title/ownership. In view of the disputed fact exists between the parties in the present case, the petitioner is at liberty to approach the appropriate forum seeking remedy.

7. It is brought to the notice of this Court that the petitioner has already preferred an appeal before the appellate authority challenging the impugned order dated 27.12.2017. That being so, he is at liberty to pursue



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the appeal before the appellate authority. It is brought to the notice of this Court, challenging the very same impugned order dated 27.12.2017, the petitioner earlier filed W.P.No.23558 of 2021 and the said writ petition came to dismissed as withdrawn on 06.12.2021. In view of the said facts, the present writ petition is not maintainable.

8. For all these reasons, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (C.K.,J.)
18.12.2025

vsi
Index:Yes/No
Speaking/Non-speaking order
Neutral citation

To

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2. The Regional Officer,
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South Chennai,
Southern region,
No.115, Dr.Mutulakshmi Salai,
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3. The Executive Engineer,
Greater Chennai Corporation,
South Chennai,
Southern Region,
No.115, Dr.Mutulakshmi Salai,
Adyar,
Chennai – 600 0020.
4. The Assistant Executive Engineer,
Greater Chennai Corporation,
Division 179, Velachery Division,
Velacherry,
Chennai – 600 042.
5. The Assistant Executive Engineer,
Corporation of Chennai,
Town Planning Section,
Greater Chennai Corporation,
Amman Maaligai,
Ripon Building,
Chennai – 600 003.



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and
C.KUMARAPPAN,J.**

Vsi

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