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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-10-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

WA No. 1611 of 2021

1.Baby Ammal (deceased)
2.Kannan
3.Thiruvenkadam
4.Arumugam
5.Moganambal
6.Neelaveni
7.Revathi
8.Nadhiya
[Appellants 2-8 are impleaded
as legal heirs vide order dated
25.10.2025 in CMP.No.23623 of 2025]

Appellant(s)

Vs

1. The District Collector
Thiruvannamalai,
Thiruvannamalai District

2.The District Revenue Officer
Thiruvannamalai,
Thiruvannamalai District



3.The Revenue Divisional Officer
Revenue Divisional Office, Cheyyar,
Tiruvannamalai District

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4.The Tahsildar
Arni Taluk, Tiruvannamalai District

5.The President
Irumbedu Village,
Arni Taluk, Tiruvannamalai District

Respondent(s)

PRAYER

To set aside the order in WP No.16383/2011 dated 13.12.2018 and allow the Writ Appeal.

For Appellant(s): Mr.K.Mohanamurali

For Respondent(s): Mr. Vadivelu Deena Deyalan
Additional Government Pleader For R1- 4
No appearance for R5

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The writ order dated 13.12.2018 in W.P.No.16383 of 2011 is under challenge in the present writ appeal.

2. The writ petitioner is the appellant/Baby Ammal before this Court. The order dated 08.11.2010 passed by the District Revenue Officer,



Tiruvannamalai rejecting the claim of the petitioner to grant patta to a land to an extent of 1.18 acres is an issue raised.

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3. It is not in dispute that the appellant became the owner of the property through a registered sale deed of the year 1955. Appellant claims that she purchased land to an extent of 1.18 acres. However, as per the revenue records, 1.09 acres of land stands in the name of appellant. Thus, appellant filed an application seeking correction in the revenue records and to mention 1.18 acres as per the sale deed of the year 1955. Based on the said application, an inquiry was conducted by District Revenue Officer. District Revenue Officer found that land additionally sought for by appellant stands in the name of the President, North Arcot Zilla Board during the relevant point of time to an extent of 0.28 acres in Survey No.102/1. Therefore, appellant is not entitled for any additional extent of land. As per revenue records, patta was granted in favour of appellant to an extent of 1.09 acres. In the year 1984, Updating Registry Scheme (UDR) was undertaken in Irumbedu Village and patta was granted in Patta No.804 in the name of the deceased husband of appellant Mr.Pachaiyappa Mudaliar to an extent of 1.09 acres only. In respect



of 0.28 acres in Survey No.102/1, the same stood in the name of Block Development Officer, Arani East Panchayat Union (erstwhile Zilla Board) and usage was mentioned as 'Road'. Regarding Updating Registry Scheme and entries made in resettlement register, Tahsildar, Arani in his counter has stated as follows,

“5. While so, in the year 2009, suddenly out of the blue i.e., about 48 years after the Settlement was introduced in the Irumbedu Village and about 25 years after the UDR, the Appellant and her husband made a claim for rectification of the extent mentioned in the records i.e., to issue Patta for the additional 0.09 Acres (for a total extent of 1.18 Acres) as against the 1.09 Acres standing in their name. In fact, in the meanwhile, the Appellant and her husband had already plotted out their 1.09 Acres of land and sold various extents to various persons and as on date various third parties who have purchased the plots from the Appellant and her husband, have acquired ownership in the said 1.09 Acres of land. Several purchasers have also applied for individual Patta and have got separate Pattas in their name. To put it in other words, the Survey No. 102/2 has undergone various sub-divisions over the passage of



time and it is no more the absolute property of the Appellant and her husband. Thus, the Appellant's claim for grant of Patta for an additional extent of 0.09 Acres is not justifiable and maintainable on this score also.

6) Curiously, in all the Sale Deeds pertaining to the aforesaid sale of plots to various purchasers, the Appellant and her husband have clearly mentioned that the total extent of Survey No. 102/2 is 1.09 Acres and not 1.18 Acres as claimed by them row.

7) It is submitted that the adjacent land in Survey No.102/1 measuring 0.28 Acres stands in the name of the BDO, Arni East/Panchayat Union (erstwhile Zilla Board) and the usage was mentioned as 'Road'. The same is used as public pathway/ road by the villagers for several decades. If the claim of the Appellant to issue Patta for an additional extent of 0.09 Acres is allowed, then such additional extent would fall inside the adjacent road portion in Survey No. 102/1 which is not permissible."

4. Learned counsel for the appellant would mainly contend that entry



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was initially made incorrectly. As per sale deed, the appellant is the owner of land measuring to an extent of 1.18 acres. Appellant could able to produce A register to establish that she is entitled to patta to land to an extent of 1.18 acres. However, such submissions made after five decades cannot be entertained by authorities nor by the High Court in a writ proceeding. If at all, petitioner claims to be owner of the entire extent of property, it is to be established before the competent Civil Court of law based on documents and evidences available on record. As per current revenue records and based on entries, they have stated that appellant is entitled to patta to the land measuring to an extent of 1.09 acres and patta was granted long before, and that apart, land was converted as house sites and sold to various third parties and individual pattas were also granted in the name of subsequent purchasers. That being so, revised patta to subject land to an extent of 1.18 acres cannot be granted.

5. In view of the facts and circumstances, this Court do not find any infirmity in respect of the writ order and consequently, the writ order dated 13.12.2018 in W.P.No.16383 of 2011 is confirmed, and the Writ Appeal is



dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

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(S.M.SUBRAMANIAM J.)(MOHAMMED SHAFFIQ J.)

25-10-2025

gd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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