



Writ Petition No.6875 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.6875 of 2025

K.Kavitha

D/o.(Late) Kandasamy

... Petitioner

Vs.

1.State of Tamil Nadu,
represented by the District Collector,
District Collectorate,
Mayiladuthurai - 609 001.

2.The District Registrar,
Mayiladuthurai District.
PIN - 609 001.

3.The District Revenue Officer,
Mayiladuthurai District.
PIN - 609 001.

4.The Revenue Divisional Officer,
Mayiladuthurai District.
PIN - 609 001.

5.The Tahsildar,
Taluk Office,
Kuthalam - 609 801.
Mayiladuthurai District.

6.M.Elangovan
S/o.Marimuthu



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7.E.Shanthakumari
W/o.M.Elangovan

8.E.Sarathi
S/o.M.Elangovan

9.M.Bangaru
S/o.Marimuthu

10.B.Madhavi
W/o.M.Bangaru

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1, 3 to 5 to take action with regard to the illegal patta bearing (i) No.34 (part) issued in favour of the petitioner's father G.Kandasamy (ii) 239 issued in favour of eighth respondent and (iii) 1382 issued in favour of 10th respondent in Survey Nos.220/1 & 220/11 measuring an extent of 3600 sq.ft. and cancel the same by conducting an enquiry after affording reasonable opportunity to the respondents 6 to 10 for which the petitioner lastly made a representation dated 30.04.2024 to the respondents 1, 3 to 5.

For Petitioner : Mr.R.Malaichamy

For Respondents : Mr.M.R.Gokulkrishnan
Additional Government Pleader
[R1 to R5]



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the official respondents to act upon the representation made by the petitioner on 30.04.2024 wherein the petitioner is seeking for cancellation of patta that is standing in the name of the private respondents with respect to the subject property.

2. Heard Mr.R.Malaichamy, learned counsel for the petitioner and Mr.M.R.Gokulkrishnan, learned Additional Government Pleader appearing for respondents 1 to 5.

3. The specific case of the petitioner is that the private respondents based on the illegal patta obtained by them had created documents in their favour. Hence, the petitioner submitted a complaint seeking for cancellation of the document and also made representation to cancel the patta granted in favour of the private respondents. The representation made by the petitioner did not evoke any response and hence, the present writ petition has been filed before this Court.



4. In the considered view of this Court, the title documents that

are standing in the name of the private respondents have not been cancelled till date *albeit* the fact that the petitioner is claiming the same to be forged and fabricated documents. Ultimately, the revenue authority will only act upon the document and the revenue authority cannot go into the genuineness or otherwise of the title document relied upon by the private respondents. Consequently, even if the revenue authorities are directed to deal with the representation made by the petitioner, it will be rejected on the sole ground that the title documents are standing in the name of the private respondents. Therefore, unless and otherwise the petitioner takes effective steps to question the title document relied upon by the private respondents, no useful purpose will be served in directing the revenue authorities to act upon the representation made by the petitioner.

5. In the light of the above discussion, liberty is granted to the petitioner to challenge the title document relied upon by the private respondents before the competent civil Court and based on the result in the civil proceedings, the petitioner can approach the revenue authorities for mutation of revenue records. It is made clear that the title of the



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private respondents cannot be traced by means of patta since patta is not a document of title and it has to be independently established by the private respondents.

This writ petition is disposed of in the above terms. No costs.

03.03.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To

- 1.The District Collector,
District Collectorate,
Mayiladuthurai - 609 001.
- 2.The District Registrar,
Mayiladuthurai District.
PIN - 609 001.
- 3.The District Revenue Officer,
Mayiladuthurai District.
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- 4.The Revenue Divisional Officer,
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- 5.The Tahsildar,
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N.ANAND VENKATESH, J

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