



W.A. No.337 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2025

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

W.A. No.337 of 2025
and
C.M.P. No.2709 of 2025

1.A.Adhinarayanane
2.A.Deivasigamani

... Appellants

Vs.

1.The District Collector,
Villupuram District,
Villupuram.
2.The District Revenue Officer,
Villupuram District,
Villupuram.
3.The Revenue Divisional Officer,
Villupuram District, Villupuram.
4.The Tahsildar,
Vanur Taluk, Villupuram District.
5.Balamurugan

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent against the order
dated 03.01.2024 passed in W.P. No.35422 of 2023.



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For Appellants : Mr.N.Sivaprakash
Mr.N.Manikandan

For Respondents : Mr.Vadivelu Deenadayalan,
Additional Government Pleader
for R1 to R4
Ms.Mitraneshaa
for Ms.A.Mary for R5

JUDGMENT

(Judgment of the Court was delivered by *S.M.SUBRAMANIAM, J.*)

Writ order dated 03.01.2024 passed in W.P. No.35422 of 2023 is under challenge in the present intra-court appeal.

2. Section 3(1) of The Tamil Nadu Patta Pass Book Act, 1983 (Tamil Nadu Act 4 of 1986) enumerates that the Tahsildar shall issue patta pass book to every owner in respect of land owned by him on an application made by him in this behalf. Rule 4(4) of The Tamil Nadu Patta Pass Book Rules, 1987 reads as follows:

4.Procedure on receipt of application or information.-

(1).....

(2).....

(3).....

(4) In the event of the Tahsildar being satisfied that a dispute concerning ownership of patta is already pending in a Court or issues are raised before him which



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impinge on personal laws or laws of succession and all the parties interested do not agree on the ownership in writing, he shall direct the concerned parties to obtain a ruling on ownership from a competent Civil Court having jurisdiction before changing the entries as already recorded and existing in the various revenue records.

3. Therefore, patta cannot be granted during existence of civil dispute between the parties. The revenue authorities cannot adjudicate the title or ownership and in the present case, it is brought to the notice of this Court that pursuant to a decree passed in a partition suit, yet another suit has been instituted in O.S.No.73 of 2024 on the file of the District Munsif Court at Vanur. Since the pendency of the suit is not disputed between the parties, the issuance of patta, cancellation of patta or mutation of revenue records are all to be undertaken after disposal of the civil litigation between the parties. Only after reaching finality, either of the party may submit an application seeking grant of patta, cancellation of patta or to mutate the revenue records. However, during the pendency of the civil suit, the revenue authorities are restrained from entertaining an application for grant of patta or to cancel the patta. When the revenue authorities are not empowered to entertain an application during the pendency of the civil suit, the High Court, in exercise of powers of judicial review, is not expected to entertain a writ petition or adjudicate the disputed facts of civil nature.



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4. As per Section 6 of the The Tamil Nadu Patta Pass Book Act, mere patta would not confer property right. Section 6 contemplates that entries in the patta pass book serve as prima facie evidence of title but not conclusive evidence of title. Therefore, mere existence of patta would not provide an absolute right in respect of immovable properties nor such patta *per se* would provide any right to claim title or ownership.

5. In view of the above legal position, there is no infirmity in the writ order, which is impugned in the present writ appeal. Consequently, the writ order stands confirmed and the writ appeal stands dismissed. Connected miscellaneous petition stands closed. There shall be no order as to costs.

[S.M.S., J.] [M.S.Q., J.]
07.10.2025

Index:Yes
Neutral Citation: Yes
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To

1.The District Collector,
Villupuram District,
Villupuram.



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2.The District Revenue Officer,
Villupuram District,
Villupuram.

3.The Revenue Divisional Officer,
Villupuram District, Villupuram.

4.The Tahsildar,
Vanur Taluk, Villupuram District.



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