IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Review Application No.111 of 2025
in
W.P.No.4114 of 2025

G.Baskar .. Petitioner

.Vs.

1.The Tahsildar
O/o. Tahsildar
Vandaloor, Guduvanchery
Chengalpet District.

2.Rangan .. Respondents

PRAYER: Review Petition has been filed under Order XLVII Rule 1 r/w Article Section 114 of CPC, to set aside the Order dated 13.02.2025 made in WP.No.4114 of 2025 and allow this review petition.

For Petitioner : Mr.M.Raja Sekhar

For Respondents: Mr.R.Murthi
Government Advocate
for R1

No appearance for R2

ORDER

This Review Application has been filed to review the order passed by this Court in WP.No. 4114 of 2025 dated 13.02.2025.

2.When the review application came up for hearing on 09.04.2025, this Court passed the following order:

> The review application has been filed mainly on the ground that individual patta has been issued in the name of the second respondent during the pendency of the suit, whereas, this Court at paragraph No.5 of the order has recorded as if a joint patta is in force in the names of the petitioner and the second respondent. In view of the same, it was submitted that there is an error apparent on the face of the order.
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> 2. Mr.P.Sathish, learned Additional Government Pleader, takes notice for first respondent.
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> 3. Notice to the second respondent returnable by 11.06.2025. Private notice is also permitted. Post on 11.06.2025.

3.Notice has been served on the 2nd respondent and the name of the 2nd respondent has also been printed in the cause list and there is no appearance either in person or through counsel.

4.Heard Mr.M.Raja Sekar, learned counsel for the petitioner, Mr.R.Murthi, learned Government Advocate for R1.

5.The only grievance that was raised by the learned counsel for the petitioner is that the suit was filed in the year 2017 and the status of the revenue records was that there was joint patta in the name of the petitioner's father and the 2nd respondent. However, during the pendency of the suit, the 2nd respondent had managed to get a patta in his individual name. The learned counsel submitted that the original position can be restored in the revenue records by keeping it as a joint patta and subject to the result of the pending suit, necessary mutation can be made in the revenue records. The learned counsel for the petitioner further submitted that the 1st respondent ought not to have entertained the application submitted by the 2nd respondent seeking for issuance of individual patta when the civil suit was pending before the competent court.

6.When the writ petition was disposed, this Court at paragraph 5 of the order has observed that the joint patta is in force and hence, the revenue authority will await for the final result in the suit and thereafter, act upon the representation made by the petitioner. There is an error apparent on the face of the order, while the above observation was made by this Court. Initially, there was a joint patta that stood in the name of the petitioner's father and the 2nd respondent. However, the 2nd respondent has managed to get an individual patta for the property. Hence, the individual patta that was issued in the name of the 2nd respondent has to be kept in abeyance and the revenue records must continue in its original position by showing the joint patta that was issued in favour of the petitioner's father and the 2nd respondent.

7.In view of the above, this review application is disposed of in the following terms:

a)There shall be a direction to the 1st respondent to keep the individual patta granted in the name of the petitioner's father and the 2nd respondent in Patta Nos.480 and 795, in abeyance.

b)The original status of joint patta that was issued in the name of the petitioner's father and the 2nd respondent shall be restored and ;

c)Depending upon the final judgment in the pending civil suit, mutation shall be carried out in the revenue records.

23.06.2025

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No
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To

The Tahsildar
O/o. Tahsildar
Vandaloor, Guduvanchery
Chengalpet District.

N.ANAND VENKATESH, J.

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