



WEB COPY

WA No. 1815 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WA No. 1815 of 2024

K.Kulanthai Rani

Appellant(s)

Vs

1.The District Collector
Chennai - District, Chennai

2.The Revenue Divisional Officer
Chennai Central Revenue Division,
Chennai

3.The Tahsildar
Egmore - Taluk, Chennai District.

4.The District Collector Tirunelveli
(Court of Wards Of Sivagiri Zamin),
Collectorate - Tirunelveli,
Tirunelveli.

5.Dewan Bahadur

Respondent(s)



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PRAYER

WEB COPY To set aside the order passed in WP.No.35176/2023 dated 19-02-2024 and thereby render justice

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For Appellant(s): Mrs.R.Sripriya

For Respondent(s): Mr.Vadivelu Deenadayalan AGP
For R1 To R4
Mr.K.Shakespeare For R5

JUDGMENT

(Judgment was delivered by S.M.Subramaniam J.)

The writ appeal has been instituted against the writ order dated 19.02.2024 passed in W.P.No.35176 of 2023. The learned Single Judge elaborately considered the factual disputes existing between the parties and formed an opinion that patta is to be considered only after the disposal of the civil litigation pending between the parties.

2. Admittedly, Appeal Suit in A.S.No.275 of 2023 is pending before the Civil Court. The Original Suit was instituted for declaration and other consequential reliefs under the provisions of the Tamil Nadu Patta Pass Book



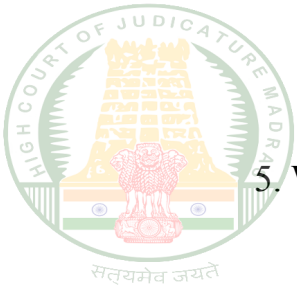
Act, 1983. In the event of a civil dispute between the parties, the revenue

authorities cannot consider the issuance of patta. In such circumstances, the

authorities are bound to relegate the parties to approach the Civil Court of Law.

3. Under Section 3 of the Tamil Nadu Patta Pass Book Act, 1983, an application seeking patta is to be entertained only upon establishing title ownership. That being the scope of the Act, the High Court cannot entertain a writ petition for issuing a direction to consider the application for grant of patta during the pendency of the civil litigation between the parties.

4. In the present case, an Appeal Suit is pending before the Trial Court, and therefore, the learned Single Judge has rightly rejected the writ petition, granting liberty to submit an application seeking patta only after crystallisation of the civil rights between the parties.



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5. With these observations, the Writ Appeal stands dismissed. No costs.

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(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

22-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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5.Dewan Bahadur

M.O.P Parthasarathiyengar Charitable
Trust, No. S153 /72 Venkatarangam
Pillai Street, Triplicane Chennai 05



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