



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-09-2025

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THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR JUSTICE C. SARAVANAN

WA No. 1913 of 2024

and

CMP No. 13698 of 2024

Senthil Murugan

Appellant(s)

Vs

1.M.Nirmal @ Nirmal Kumar

2.The Principal Secretary
Commissioner of Land Administration,
Revenue Administration, Ezhilagam,
Chepauk, Chennai 600 005.

3.The Additional Secretary
Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai 600 005.

4.The District Collector
Collectorate, Government Garden,
Thirupathur 635 601.



5.The District Revenue Officer
District Revenue Office,
Thirupathur District.

6.The Sub Collector
Thirupathur District.

7.The Tahsildar
Thirupathur

Respondent(s)

PRAYER

Writ Appeal filed under Clause 15 of Letters Patent, to set aside the impugned order dated 08.04.2024 passed in WP No.10093 of 2022 and pass such further or other orders.

For Appellant(s): Mr.Vaibhav R. Venkatesh
For Mr.Akashsrinanda

For Respondent(s): M/s.S.Kanimozhi For R1
Mrs.Akila Rajendran, GA
For R2 to R7

J U D G M E N T

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

The present Intra-Court Appeal has been instituted to assail the writ order dated 08.04.2025 passed in W.P.No.10093 of 2022. The 7th respondent in the

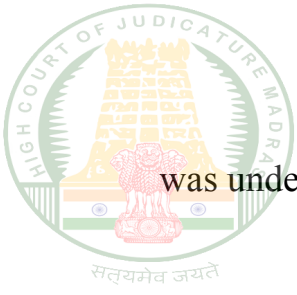


writ petition is the appellant before this Court.

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2. The 1st respondent instituted writ proceedings challenging the order passed by the District Revenue Officer (DRO), Tirupathur / Appellate Authority vide proceeding dated 11.03.2022. The order of the District Revenue Officer reveals that the application submitted by the appellant was considered and a finding was made that in the event of withdrawing O.S.No.180 of 2019 pending on the file of Sub Court, Tirupathur, the Tahsildar may issue patta by following the guidelines from the Commissioner of Land Acquisition's circular dated 13.03.2018. Pertinently, the said order states that an aggrieved person may prefer an appeal within 30 days before the Competent Civil Court of Law.

3. The learned counsel for the appellant would mainly contend that the suit filed by the appellant had been withdrawn but the counterclaim filed by the respondent / writ petitioner was not withdrawn. The appellant claims that he is the absolute owner of the land in Survey No.94/13B2. The respondent claims ownership of the land in Survey No.93/8. It is contended that re-survey process



was undertaken by the authorities.

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4. Be that as it may, the Writ Court cannot adjudicate disputed facts of a civil nature. Such inquiries need to be conducted with reference to the original documents and evidence available on record.

5. Let us consider the scheme under the Tamil Nadu Patta Pass Book Act, 1983. The issue in the present case relating to grant of patta. Section 3 of the Act speaks about “issue of patta pass book”. Sub Section (1) contemplates that “The Tahsildar shall issue a patta pass book to every owner in respect of the land owned by him, on an application made by him in this behalf. Any application received under this Section shall be acknowledged by the Tahsildar or any other officer authorized by him in this behalf”.

6. The Tamil Nadu Patta Pass Book Rules, 1987 was issued in exercise of the powers conferred under Sub Section (1) of Section 22 of the Act, which prescribe the procedures to be followed on receipt of application or information.



Thus, it is amply clear that owner of the property alone is entitled to submit an application seeking patta.

7. Establishing ownership/title is required for entertaining an application under the Patta Passbook Act. In the event of any disputes or objections raised by any other person, the authorities are left with no other option but to relegate the parties to resolve the issues through Civil Court of Law.

8. In this context, proviso Clause to Section 14 of the Act denotes that “*if any person is aggrieved as to any right of which he is in possession, by an entry made in the patta pass book under this Act, he may institute a suit against any person denying or interested to deny his title to such right, for a declaration of his rights under Chapter VI of the Specific Relief Act, 1963 and the entry in the patta pass book shall be amended in accordance with any such declaration*”.

9. The order impugned in the writ petition also indicate that an aggrieved person can approach the Competent Civil Court for the purpose of resolving the



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10. Writ petitions are instituted to resolve property disputes involving grant of patta, cancellation of patta or mutation of revenue records. Adjudication of such disputed issues ought to be undertaken by the revenue authorities by following the procedures. An aggrieved person, thereafter has to approach the competent Civil Court of law to establish their civil rights, title, etc., for the purpose of grant of patta or cancellation of patta. The Patta Pass Book Act and its Rules framed thereunder would indicate that the disputed facts relating to civil rights cannot be decided by the revenue authorities and the issues ought to be relegated to the Civil Court for the purpose of resolving the same.

11. Only in the event of undisputed ownership in the context of Section 3 of Patta Pass Book Act, the revenue authorities would be in a position to issue patta. In the event of any fraudulent document, which is apparently established, then the authorities can intervene and cancel the patta and relegate the parties to establish their rights before the Civil Court of law.



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12. In the present case, the suit filed has been withdrawn. However, it is for the parties to initiate appropriate action for redressal of their grievance by filing proper applications before the Civil Court. In the event of filing any fresh suit or restoration of suit, the Civil Court has to decide the issues independently on merits and uninfluenced by any of the observations made by this Court.

13. In view of the facts and circumstance, this Court do not find any infirmity in respect of the decision arrived by the Writ Court. Consequently, the writ order dated 08.04.2025 passed in W.P.No.10093 of 2022, is confirmed and the Writ Appeal stands dismissed. The connected Miscellaneous Petition is closed. There shall be no order as to costs.

(S.M.SUBRAMANIAM J.)(C.SARAVANAN J.)

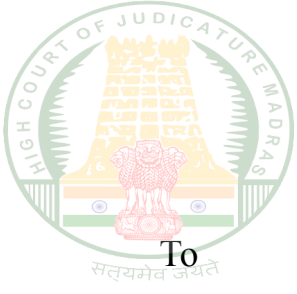
09-09-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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