



WEB COPY

W.P No. 9728 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**W.P. No. 9728 of 2017 &
W.M.P.Nos.10709 and 10710 of 2017**

Shri Dhasarathan

Petitioner

Vs

1. The District Collector
Kancheepuram,
Kancheepuram District

2.The Revenue Divisional Officer
Tambaram, Kancheepuram District

3.The Tahsildar
Sholinganallur Taluk,
Kancheepuram District

4.The Village Administrative
Officer, Pallikarani Village,
Sholinganallur Taluk,
Kancheepuram District

5.Meenakshi Nagar Kudieruppor
Nala Sangam, Rep. by its Authorised
Person, Pallikarani Village,
Sholinganallur Taluk, Kancheepuram
District

Respondents



PRAYER

The Writ Petition is filed under Article 226 of Constitution of India for issuance of a Writ of Certiorari calling for the records relating to the order passed by the 2nd respondent dated 04.03.2017 bearing No.616/2016/A and quash the same

For Petitioner: Mr.G.Vinodh Kumar

For Respondents: Mr.T.M.Rajangam for R1 to R4
Government Advocate
Mr.T.V.G.Kartheeban for R5

ORDER

This Petition is filed to call for the records relating to the order passed by the 2nd respondent dated 04.03.2017 bearing No.616/2016/A and quash the same.

2. The learned counsel appearing for the petitioner would submit that the petitioner's father and his father's brother, namely, Manickam owned lands at Pallikaranai Village in Survey Nos.377/1C1, 377/1DA, 377/1C3, 377/6A2, 377/7, 377/1C3A, 377/6A1, 377/6A2, 377/7, 377/1C1, 377/1D1A and 377/7 and pattas were also issued in their favour in patta nos. 1655 and 2916 and thereafter, the petitioner's father passed away in the year 1983 and the petitioner's father's brother, viz., Manickam also passed away. While so, on



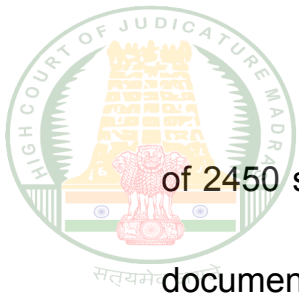
09.01.2013, one Jayapaul along with Karthik, Sudha, Mohananathan,

Chinnasami and others jointly by using the JCB destroyed the trees, bushes

WEB COPY

and plants and levelled the lands owned by the petitioner, due to which the petitioner and one Kannan had preferred a complaint before pallanikarani police station on 09.01.2013, during the enquiry, the patta granted in favour of all the land owners were cancelled by the 2nd respondent by an order dated 13.03.2014 and issued a direction to declare the said lands as 'road' and to remove the encroachments.

3. The learned counsel for the petitioner would further submit that one of the land owners, namely, one Manohar, filed a Writ Petition before this Court in W.P.No.14253 of 2015 to set aside the order of the 2nd respondent dated 13.03.2014 stating that the land in Survey Nos.377/2, 377/4A, 377/5A, 377/4, 377/8, 377/5, situated at Karpagavinayaga nagar, Pallikaranai village to a total extent 1 acre 24 cents under Patta No.788 belonged to one Vethachalam and after death of the said Vethachalam on 24.01.1993, the land was succeeded by his legal heirs and executed a release deed in favour of one of the legal heir, namely, Geetha in respect of Survey land in survey no.377/4A to a extent



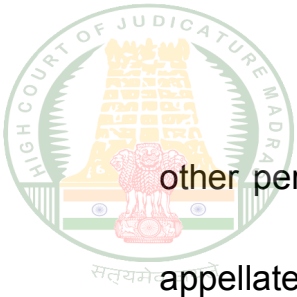
WEB COPY

of 2450 sq., and in survey no.377/4B measuring an extent of 682 Sq.ft., vide

document no.5035 of 2005 dated 14.07.2015 on the file of Saidapet Joint

Registrar-1. Further, from the date of release deed, the said Manohar is in enjoyment of the property, the said manohar's wife died in the year 2011 and in the meanwhile, the Meenakshi Nagar, Kudierupor Nala Sangam attempted to evict the said Manohar on the ground the land in possession is a common pathway. The said Manohar lodged a complaint before the Pallikaranai police station. This Court, vide order dated 22.03.2016, issued a direction to the Revenue Officials to conduct an enquiry and pass orders, pursuant to which the present impugned order is passed. However, the land, which belong to the petitioner's family, in which patta was granted in favour of the individual was cancelled and directed the 2nd respondent to treat the said land as a pathway, is not a sustainable one, thereby prayed for appropriate orders.

4. Per contra, the learned Government Advocate appearing for the respondents 1 to 4 as well as the learned counsel for the 5th respondent would submit that according to the revenue records, lands in possession of the petitioners are pathway, in which the patta was issued in favour of the individual, was cancelled by the revenue officials, if at all the petitioner or the



WEB COPY

other persons are aggrieved, they have to work out their remedy before the appellate authorities for restoration of patta and not before this Court under Article 226 and further, the petitioner claims possession only through patta and already this Court time and again has held that the patta is not a title, if at all the petitioner claims title, he has to approach the competent civil court instead of filing the present writ petition, accordingly prays for dismissal of the petition.

5. Considering the facts and circumstances of the case and taking note of the submissions made on either side and the fact that as per the revenue records, lands in possession of the petitioner are pathway, in which the patta was issued in favour of the individual, was cancelled by the revenue official s and further, the petitioner claims possession only through patta and already this Court time and again has held that the patta is not a title, if at all the petitioner or the other persons are aggrieved, they have to work out their remedy before the appellate authorities for restoration of patta or before the civil court and not before this Court under Article 226 of Constitution of India.



In view of the above, the present Writ Petition is dismissed.

Consequently, connected miscellaneous petitions are closed. No costs.

WEB COPY

08-09-2025

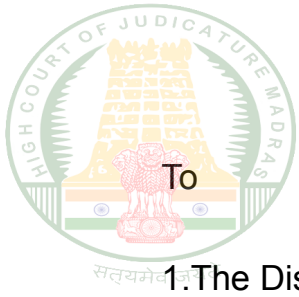
Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

ssd



To

1.The District Collector
Kancheepuram, Kancheepuram
District

2.The Revenue Divisinal Officer
Tambaram, Kancheepuram District

3.The Tahsildar
Sholinganallur Taluk, Kancheepuram
District

4.The Village Administrative
Officer, Pallikarani Village,
Sholinganallur Taluk, Kancheepuram
District



WEB COPY

W.P No. 9728 of 2



M.DHANDAPANI J.

ssd

WP No. 9728 of 2017

08-09-2025