



W.P.No.29974 of 20_

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.08.2025

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Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.29974 of 2025

P.Bharathiraja

...Petitioner

Versus

1.The District Revenue Divisional Officer,
Perambalur District,
Perambalur.

2.The Revenue Divisional Officer,
Perambalur Division,
Perambalur District.

3.The Tahsildar,
Alathur Taluk,
Alathur & Post,
Perambalur District.

4.Tmt.Shanthi

5.Tmt.Amutha

6.Tmt.Ilakkiya

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the second respondent to hold enquiry and pass necessary orders on the representation dated 09.05.2025 for cancelling the Patta No.2497 granted in favour of the respondents 4 to 6 relating to lands in S.F.No.268/1 at Koothur Village,



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Alathur Taluk, Perambalur District measuring an extent of 1.34.50 Hectares
(3 Acres and 32 Cents).

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For Petitioner : Mr.S.Kamadevan

For Respondents – 1 to 3 : Mr.A.Selvendran,
Special Government Pleader

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass in this writ petition, notice to the respondents 4 to 6 is dispensed with.

2. The relief sought in this writ petition is to direct the 2nd respondent to hold enquiry and pass necessary orders on the petitioner's Representation dated 09.05.2025 for cancelling Patta No.2497 granted in favour of respondents 4 to 6 in respect of the lands comprised in S.F.No.268/1 measuring an extent of 1.34.50 Hectares (3 Acres and 32 Cents) situated at Koothur Village, Alathur Taluk, Perambalur District (hereinafter referred to as “subject property”).



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3. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the petitioner filed a suit in O.S.No.171 of 2022 before the District Munsif Court, Perambalur for the relief of easement rights over the subject property and to prohibit the respondents 1 to 3 from altering the Revenue Records. The said suit is pending on the file of District Munsif Court, Perambalur. He further submitted that during the pendency of a civil suit, it may not be permissible to alter or change the subdivision and Patta in terms of Section 4(4) of the Tamil Nadu Patta Pass Book Rules, 1987. Therefore, the learned Special Government Pleader submitted that while O.S.No.171 of 2022 is pending before the Civil Court, 2nd respondent cannot cancel the Patta granted in favour of the respondents 4 to 6 in respect of the subject property as sought by the petitioner in his Representation dated 09.05.2025.

4. The learned counsel for the petitioner submitted that the respondents 4 to 6 have no right over the subject property. He further submitted that he has instructions to state that suit in O.S.No.171 of 2022 pending on the file of District Munsif Court, Perambalur would be withdrawn by the petitioner. Therefore, the learned counsel prayed this



Court to issue appropriate direction to 2nd respondent to consider the petitioner's Representation dated 09.05.2025.

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5. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that if the petitioner submits a fresh Representation stating that “the suit in O.S.No.171 of 2022 pending on the file of District Munsif Court, Perambalur has been withdrawn” along with a copy of the order indicating the withdrawal of suit in O.S.No.171 of 2022, 2nd respondent would consider the said Representation and dispose of the same, within a time frame to be fixed by this Court.

6. The above submission made by the learned Special Government Pleader for the respondents 1 to 3 has been fairly conceded by the learned counsel for the petitioner.

7. In view of the above submissions made by the learned counsel on either side, this Court is inclined to dispose of this Writ Petition with the following directions:

(i) The petitioner is directed to submit a fresh Representation stating



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that “the suit in O.S.No.171 of 2022 pending on the file of District Munsif Court, Perambalur has been withdrawn” along with a copy of the order indicating the withdrawal of suit in O.S.No.171 of 2022, within a period of four weeks from the date of uploading of the web copy of this order without waiting for the receipt of a certified copy of this order.

(ii) On submission of such fresh Representation by the petitioner, 2nd respondent shall consider the same and pass appropriate orders, after issuing notice and affording a reasonable opportunity of hearing to the petitioner, respondents 4 to 6 and all other interested parties including rival claimants, if any, within a period of six weeks from the date of submission of fresh representation by the petitioner.

(iii) Though facts have been set out in affidavit, in view of the limited relief that is sought to be granted, I do not propose to examine the same, lest it may influence the Authority. The 2nd respondent shall independently consider the facts and law set out in the petitioner's Representation and pass appropriate orders, in accordance with law including but not limited to the provisions of the Tamil Nadu Patta Pass Book Act, 1983 and Tamil Nadu Patta Pass Book Rules, 1987.

(iv) It is made clear that this Court has not expressed any views with



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regard to the merits of the case and it is open to 2nd respondent to consider the matter on its own merits and in accordance with law. Rights and contentions of the petitioner and all other interested parties are left open. No costs.

19.08.2025

mrr

Index : Yes/No

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MOHAMMED SHAFFIQ, J.

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