



W.P.No.30303 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2025

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

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Dr.M.Kunchithapatham

... Petitioner

Vs.

1.The District Collector,
Chennai District.

2.The District Revenue Officer,
Chennai – 01.

3.The Revenue Divisional Officer,
South Chennai Revenue Division,
Guindy, Chennai – 32.

4.The Tahsildar,
Mylapore Taluk,
Chennai – 28.

5.The Joint Sub Registrar,
Chennai Central Joint – I,
Chennai.



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6.Gowri

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for records in proceedings No. Na.Ka.No.A2/1186/2022 dated 21.04.2023 on the file of 4th respondent and confirmed by the order of the 3rd respondent in proceedings No.Se.Mu.No.A1/257/2023 dated 05.09.2023 and confirmed by the order of the 2nd respondent proceedings No. Na.Ka.J2/e-2959324/2025 dated 19.06.2025 and quash the same as illegal, incompetent and without jurisdiction and consequently direct the 4th respondent issue a patta in the name of petitioner's for property situated at Old S.No.960, R.S.No.3797/10 measuring an extent of 400 sq.ft. at Door No.15, No.B, Kamarajar Salai, Teynampet, Chennai 600 018.

For Petitioner : Ms.E.Yuvarani

For Respondents : Mr.C.Jayaprakash

Government Advocate [R1 to R4]

ORDER

This Writ Petition has been filed challenging the impugned orders passed by the respective respondents dated 21.04.2023, 05.09.2023 and



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19.06.2025.

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2. The respective respondents have rejected the petitioner's request for grant of patta for the property morefully described in the prayer to this writ petition, on the ground that the said property belongs to a temple. The petitioner has sought for issuance of patta in his name based on a compromise decree passed by the Civil Court. In the said compromise decree, the temple whom the official respondents claim to be the owner of the property as seen from the counter filed before this Court, is not a party to the said suit. In the counter filed by the 4th respondent before this Court, a categorical statement has been made in paragraph No.5 stating that S.Gopalsamy Iyengar and M.Vinayaga Mudaliar, trustees, as per the revenue records, are the registered holders of the property, which is the subject matter of this writ petition. Before the respective respondents, the aforesaid temple was not made as a party by the petitioner. Even before this Court, the said temple is not a party. It is



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also to be noticed that only under a money suit, a compromise decree was passed, wherein it was held that the property, which is the subject matter of this writ petition, was allotted to the petitioner. Only based on the said compromise decree obtained in a money suit, the petitioner had sought for patta in his favour, which has been rejected on the ground that the property belongs to S.Gopalsamy Iyengar and M.Vinayaga Mudaliar, trustees, of the temple.

3. Admittedly, the petitioner has also not put on notice the said temple about his application seeking for issuance of patta in his name, though the petitioner was made aware by the official respondents that the property according to them is under the ownership of the temple. When there are disputed question of facts involved, this Court does not find any infirmity in the impugned orders passed by the respective respondents. If at all the only remedy available to the petitioner is to approach the Civil Court seeking for a declaration that the petitioner is the absolute owner of



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the property, for which, the patta is sought for. This Court, therefore does not find any merit in this writ petition and also does not find any infirmity in the orders, which are challenged in this writ petition.

4. Accordingly, this Writ Petition is dismissed. However, liberty is granted to the petitioner to approach the Civil Court for declaration to declare that the petitioner is the owner of the property, which is the subject matter of this writ petition and thereafter, if successful in the civil suit, seek patta. No costs.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

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ABDUL QUDDHOSE, J.

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