



W.P.No.6 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.03.2025

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.6 of 2023

AND

W.M.P.No.2 of 2023

T.Karunanithi

.. Petitioner

Vs

1.The District Revenue Officer
Thiruvallur District, Thiruvallur

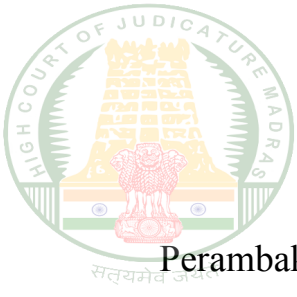
2.The Revenue Divisional Officer
Thiruvallur District, Thiruvallur

3.The Tahsildar
Thiruvallur Taluk
Thiruvallur District

4.Suyam Prakash

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records pertaining to the impugned order passed by the 1st respondent in Na.Ka.No.2918/2020/A3 on 30.12.2020 and quash the same and direct the 3rd respondent to restore patta in petitioner's name for land comprised in survey No.267/7A1B situated at



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Perambakkam Village, Thiruvallur District admeasuring 0.02.0 hectares within a time frame that may be fixed by this Court.

For Petitioner : Mr.C.Prabakaran

For R1 to R3 : Mr.M.R.Gokulakrishnan
Additional Government Pleader

For R4 : Mr.R.Karunagaran

ORDER

This writ petition has been filed challenging the impugned proceedings of the 1st respondent dated 30.12.2020 and for a consequential direction to the 3rd respondent to restore the patta in the name of the petitioner with respect to the subject property.

2. The case of the petitioner is that his father is the owner of the subject property. He executed a will dated 30.12.2002 and the property was bequeathed in favour of the petitioner. The petitioner became the owner of the property, after the demise of his father and patta was issued in favour of the petitioner in patta No.6422/2010. The 4th respondent filed a petition before the 3rd respondent seeking cancellation of patta that stood in the name of the petitioner. The 3rd respondent



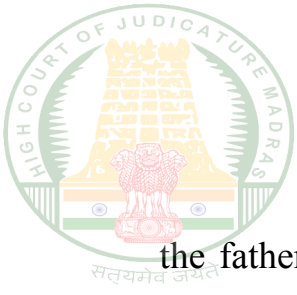
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through proceedings dated 14.12.2017, cancelled the patta standing in the name of the petitioner. Aggrieved by the same, the petitioner filed an appeal before the 2nd respondent and the said appeal was also rejected by order dated 27.06.2018. Aggrieved by the same, the petitioner filed a revision before the 1st respondent and the 1st respondent, through the impugned proceedings dated 30.12.2002, rejected the revision. Aggrieved by the same, the present writ petition has been filed before this Court.

3. On carefully considering the materials placed before this Court and also the reasoning that has been assigned by the respondents while cancelling the patta issued in favour of the petitioner, it is seen that they have all placed reliance upon the common judgment that was passed by the District Munsif Court, Thiruvallur, in O.S.Nos.879 of 1988 and 711 of 1989 dated 24.02.1997.

4. O.S.No.879 of 1988 was filed by the father of the petitioner seeking relief of permanent injunction and O.S.No.711 of 1989 was filed by the rival party who was also seeking permanent injunction, not to grant any electricity connection to

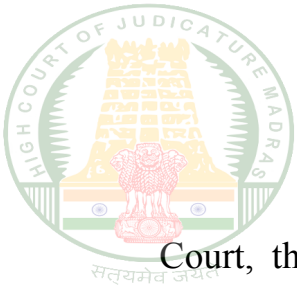


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the father of the petitioner. Both the suits were taken up together and joint trial was conducted. One of the main issue that was framed by the trial Court is, as to whether the predecessor-in-title had the right to convey the property in favour of the petitioner's father. On appreciation of evidence, the trial Court came to a conclusion that predecessor-in-title had no right to convey the property and therefore, no title passed on to the petitioner's father. Accordingly, the suit filed by the petitioner's father in O.S.No.879 of 1988 was dismissed and the suit filed by the rival party in O.S.No.711 of 1989 was allowed. It is also brought to the notice of this Court that the appeal filed against the said judgment and decree with delay also came to be dismissed.

5. The revenue authorities cannot disregard such a judgment and decree passed by the civil Court and they have to necessarily act in accordance with the judgment and decree passed by the civil Court as prescribed in Revenue Standing Orders (RSO) 31(4). This RSO specifically provides that in cases of transfer of titles on holdings in the name of decree holders with reference to a decree of a civil



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Court, the revenue authority will have to necessarily give effect to the decree passed by the civil Court. There is no discretion given to the revenue authorities and it is a compulsory transfer that has to be made by the revenue authorities.

6. In the considered view of this Court, the revenue authorities strictly followed this RSO and had gone by the judgment of the civil Court. Hence, the reasoning given by the 1st respondent while dismissing the revision petition does not suffer from any illegality, warranting the interference of this Court. The revenue authorities cannot grant patta in favour of the petitioner, merely because the patta originally stood in his name.

In the result, this writ petition stands dismissed. No costs. Connected W.M.P. is closed.

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Index : Yes/No

Neutral Citation : Yes/No



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N. ANAND VENKATESH, J.

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To

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2.The Revenue Divisional Officer
Thiruvallur District, Thiruvallur

3.The Tahsildar
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