



W.A. No.400 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2025

CORAM :

**THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

**W.A. No.400 of 2025 and
C.M.P. No.3272 of 2025**

Vasantha

.. Appellant

Vs

1.Ramalingam

2.The District Collector
Thiruvallur District

3.The Revenue Divisional Officer
Thiruvallur, Thiruvallur District

4.The Tahsildar
Thiruvallur Taluk, Thiruvallur District

.. Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent Act to set aside the order passed by the learned Judge in W.P. No.33284 of 2024 dated 08.11.2024.



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For Appellant : Mr.B.Vijay
for Mr.S.Mohamed Uduman

For Respondents : Mr.G.Ilamurugu for R1
Mr.A.Selvendran,
Spl. Govt. Pleader for R2 to R4

JUDGMENT

(made by N.SENTHILKUMAR, J.)

Aggrieved by the order of the writ court dated 08.11.2024 passed in W.P. No.33284 of 2024, the fourth respondent in the writ petition has filed the instant writ appeal. The first respondent herein is the writ petitioner.

2. The case of the appellant is that she has made an application on 01.07.2021 to the District Collector, Revenue Divisional Officer and Tahsildar of Tiruvallur District, claiming to be the absolute owner of the land to an extent of 7 cents comprised in S. No.8/8B of Puliur Village, Tiruvallur Taluk and to cancel the patta standing in the name of the first respondent herein/writ petitioner stating that the writ petitioner had created a forged document, which was registered as Document No.12057/2020 dated 08.12.2020.



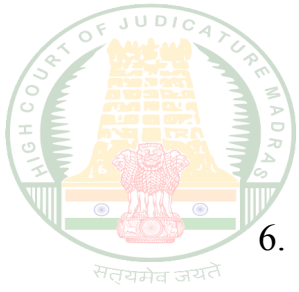
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3. On the above said representation, the Revenue Divisional Officer had conducted an enquiry on various dates, where the appellant herein and the first respondent/writ petitioner had appeared before the Revenue Divisional Officer and the said enquiry was conducted on 21.08.2024. It was brought to the notice of the RDO during the enquiry that a suit for declaration of title and injunction was pending before Sub Court, Tiruvallur in O.S. No.138 of 2021, filed by the first respondent herein along with his son against the appellant and her husband S.Damodharan. Pursuant to the enquiry, patta standing in the name of the 1st respondent herein was cancelled.

4. The contention of the fourth respondent herein/writ petitioner is that the impugned order was not served on him and it was only served at his deceased father's address.

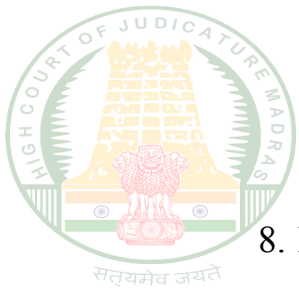
5. The main grievance of the appellant is that though she was made as a party to the writ petition, she was not heard by the court. Aggrieved by the same, she has filed the instant writ appeal.



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6. It is not in dispute that the appellant was not heard at the time when the learned single Judge had passed the order. However, it is seen from the records that the appellant as well as the first respondent herein had taken part in the enquiry conducted by the RDO on 21.08.2024. It is crystal clear that the appellant and the first respondent are parties to O.S. No.138 of 2021 pending on the file of Sub Court, Tiruvallur, for declaration of title and injunction. The mutation of records in respect of the first respondent herein does not fall in our consideration.

7. As rightly pointed out by the learned single Judge, when there is a serious dispute with regard to the title of the property, the revenue authority shall only refer the matter to the civil court under the provisions of the Tamil Nadu Patta passbook Act. When there is a suit pending between the appellant herein and the first respondent in O.S. No.138 of 2021, the RDO has chosen to cancel the patta standing in the name of the writ petitioner/first respondent herein, which is gross violation, as the question of title itself is pending in O.S. No.138 of 2021. Therefore, the learned single Judge had rightly set aside the order of the RDO and directed the official respondents to restore the patta to the earlier state and further directed the parties to wait for the outcome of the suit.



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8. In such view of the matter, we do not see any error or infirmity in the order of the learned single Judge except that the appellant was not heard. The only grievance of the appellant is now redressed to the effect that the patta will stand in the name of the plaintiff i.e. the first respondent herein/writ petitioner and the first respondent herein/writ petitioner shall not deal with the property till the disposal of the original suit in O.S. No.138 of 2021 by Sub Court, Tiruvallur. With the above observation, the writ appeal is dismissed. However, there is no order as to costs. Consequently, the connected civil miscellaneous petition is closed.

[A.S.M., J] [N.S., J]
08.07.2025

Index: Yes/No
Speaking order/Non-speaking order
Neutral Citation: Yes
Asr

To

1. The District Collector
Thiruvallur District
2. The Revenue Divisional Officer
Thiruvallur, Thiruvallur District
3. The Tahsildar
Thiruvallur Taluk, Thiruvallur District
4. The Government Pleader,
High Court, Madras



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DR. ANITA SUMANTH.,J.
and
N.SENTHILKUMAR.,J.

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