



Writ Petition No.5900 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 25.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.5900 of 2025

and

W.M.P.No.6484 of 2025

A.Suresh Babu

S/o.Arumuga Mudhaliar

... Petitioner

Vs.

1.The District Collector,
Ranipet District.

2.The District Revenue Officer,
Ranipet District - 632 401.

3.The Revenue Divisional Officer,
Arakkonam, Ranipet District.

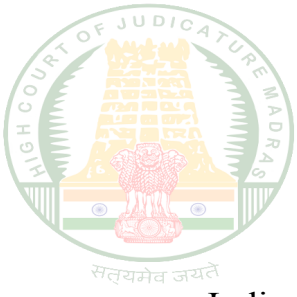
4.The Tahsildar,
Nemili Taluk,
Ranipet District - 631 051.

5.R.Lakshminarayanan
S/o.Rajamanickam

6.P.Vasantha
W/o.Pathbanaban

7.T.Sundari
W/o.Tamilselvan

... Respondents



Writ Petition No.5900 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the second respondent impugned order dated 04.10.2024 in So.Mu.Na.Ka.No.D3/9098/2023 and quash the same.

For Petitioner : Mr.L.Ramkumar

For Respondents : Mr.M.R.Gokulkrishnan
Additional Government Pleader
[R1 to R4]

ORDER

This writ petition has been filed challenging the impugned proceedings of the second respondent dated 04.10.2024 wherein the second respondent has directed the name of the petitioner to be removed from the joint patta issued in Patta No.162 and to grant patta exclusively in the name of the fifth respondent.

2. Heard Mr.L.Ramkumar, learned counsel for petitioner and Mr.M.R.Gokulkrishnan, learned Additional Government Pleader appearing for respondents 1 to 4.

3. The specific case of the petitioner is that he is the joint owner of the property along with other legal heirs, whereas, the fifth



Writ Petition No.5900 of 2025

respondent relied upon a fabricated will dated 09.08.1981 and was claiming for exclusive right over the property. Originally, a joint patta was issued in Patta No.162 in the name of the petitioner and the fifth respondent. The fifth respondent sought for a separate patta in his name based on the Will. Such claim made by the fifth respondent was rejected by the Revenue Divisional Officer. Thereafter, the fifth respondent approached the second respondent and the second respondent, through the impugned proceedings dated 04.10.2024, has directed the patta to be granted exclusively in the name of the fifth respondent. Aggrieved by the same, the present writ petition has been filed before this Court.

4. In the considered view of this Court, the revenue authorities cannot decide on the genuineness or otherwise of the Will relied upon by the fifth respondent. The fifth respondent was claiming exclusive right over the property based on the Will. If, according to the petitioner and other legal heirs, the Will is a fabricated document, they should have approached a Court and sought for necessary relief. In the absence of the same, the revenue authorities can only act upon the documents and pass consequential orders.

5. The second respondent has acted upon the Will relied upon



Writ Petition No.5900 of 2025

by the fifth respondent and has directed the patta to be issued exclusively

WEB COPY

in the name of the fifth respondent. This finding of the second respondent cannot be held to be illegal and if at all, the petitioner is aggrieved, the petitioner has to go before the competent Court and question the validity of the Will. Ultimately, if the Will is found to be a fabricated document or a document, which was created under suspicious circumstances, the civil Court will deal with the same and issue a declaration. The same will create a cause of action for the petitioner and other heirs to approach the revenue authorities. Except giving this clarity and liberty, no further orders can be passed in this writ petition.

This writ petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

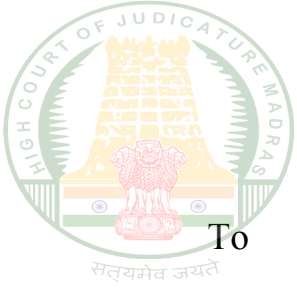
25.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

gm



Writ Petition No.5900 of 2025

To

WEB COPY

- 1.The District Collector,
Ranipet District.
- 2.The District Revenue Officer,
Ranipet District - 632 401.
- 3.The Revenue Divisional Officer,
Arakkonam, Ranipet District.
- 4.The Tahsildar,
Nemili Taluk,
Ranipet District - 631 051.

N.ANAND VENKATESH, J



WEB COPY



Writ Petition No.5900 of 2025

gm

Writ Petition No.5900 of 2025

25.02.2025