



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2025

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**THE HONOURABLE DR JUSTICE ANITA SUMANTH
AND**

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WA No. 799 of 2025

AND

CMP NO. 6916 OF 2025

1. NARENDIRAN

S/o. Kaliyamoorthy, Udayarkudi
Village, Kattumannarkoil Taluk,
Cuddalore District.

Appellant(s)

Vs

1. Zahir Hussain Saib

S/o. Mohammed Basheer Saib,
D.NO.104/79-A, Kothawal Street,
Lalpettai Village, Kattumannar Koil
Taluk, Cuddalore District.

2.The District Collector
Cuddalore District, Cuddalore.

3.The District Revenue Officer
Cuddalore District.

4.The Sub Collector
Chidambaram, Cuddalore District.



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5. The Revenue Tahsildar

Kattumannarkoil Town Panchayat,
Kattumannarkoil Taluk, Cuddalore
District.

6. The Executive Officer

Kattumannarkoil Town Panchayat,
Kattumannarkoil Taluk, Cuddalore
District.

Respondent(s)

CMP No. 6916 of 2025

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2. The District Collector

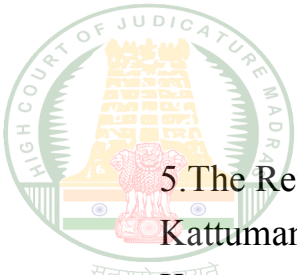
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Respondent(s)

WA No. 799 of 2025

PRAYER

To set aside the order dated 20.11.2024 made in WP No.30563 of 2024.

CMP No. 6916 of 2025

PRAYER

To stay of all further proceedings in WP No.30563 of 2024 passed by this
Honble Court dated 20.11.2024.

WA No. 799 of 2025

For Appellant(s): Mr.A.D. Janarthanan

For Respondent(s): Mr. M.Elumalai, For R1.
Mr.A.Selvendiran, Sgp For R2
To R6.

JUDGMENT

(Judgment of the Court was delivered by Anita Sumanth J.)

The subject matter of this Writ Appeal and the Writ Petition is a land
comprised in R.S.No.104/1 (New R.S.No.292/2) ad measuring 1316 sq.ft. at

Sajagananda Nagar ('property'/'property in question').



2. The aggrieved appellant was the private respondent/R6 in the Writ Petition. The property in question has been purchased by the Writ Petitioner, arrayed as R1, as early as on 08.10.2018. The Writ Petitioner had claimed to have sought and obtained necessary planning permission.

3. While so, on a complaint filed by the appellant contending that the land in question was classified as 'Sarkar Poromboke – Adi Dravidar Housing Site', an enquiry was conducted by the official respondents and an order came to be passed by the District Revenue Officer, Cuddalore on 12.06.2023 classifying the land as 'Adi Dravidar Housing Site' and consequently, the patta granted had come to be cancelled.

4. Aggrieved, the Writ Petitioner had filed W.P.No.21780 of 2023, which was dismissed on 25.07.2023 directing the Writ Petitioner to approach the appellate authority, which was complied with.

5. During the pendency of the appeal, the Executive Officer of Kattumannarkoil Town Panchayat had issued a show cause notice questioning why the building permission granted should not be cancelled in view of the cancellation of the patta. Aggrieved W.P.No.24692 of 2023 had come to be filed



by the Writ Petitioner, which came to be disposed recording the submissions of the official respondent to the effect that the building plan permission would not be cancelled till such time the appeal pending before the District Revenue Officer was heard and disposed.

6. The appeal ultimately came to be rejected vide order Ni.Mu.V5/1100198/2023 dated 14.08.2024, as against which W.P.No.30563 of 2024 had been filed. The impugned order of the Writ Court dated 20.11.2024 proceeds on the basis of the revenue records which have been produced before the learned Judge. After verification of the same, the learned Judge records that the land in question was Grama Natham, the patta bearing No.666 stood in the name of Murugesan and the property has been described as Sarkar House Site.

7. Learned Judge has proceeded on the premise that since patta had been issued under Natham Land Tax Scheme, the property in question comprises Natham land. In fine, the learned Judge set aside order dated 14.08.2024 remanding the matter back for fresh consideration. The Writ Petitioner has not challenged the said order and it is only the private respondent has challenged the same in this appeal, perhaps since there is no specific direction that the



private respondent should be heard in the remand proceedings.

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8. We find no merit in this appeal insofar as we agree that it is the authorities who should go into the factual matrix of the matter and issue appropriate direction based on the original records before them.

9. As to the classification of the land and consequently to whom the patta should be issued, since there is a direction in order dated 20.11.2024 that the name of the Writ Petitioner must be restored in the revenue records in respect of the property in question, (which has been complied with) it would be in the interests of all parties concerned that the remand proceedings be completed as expeditiously as possible and a time period of one month from date of personal hearing is stipulated for the same.

10. In order to facilitate this process, the appellant as well as R1 will appear before the District Collector, Cuddalore District/R2 on 28.03.2025 at 11.00 a.m. with all documents necessary to enable an adjudication of the matter. The convenience of R2 has been ascertained in this regard from Mr.Selvendran, learned Special Government Pleader.

11. The parties will be heard and orders passed in accordance with law. It



is made clear that if there is no cooperation by any of the parties, it is unnecessary for the District Collector to await the same indefinitely, but rather complete the proceedings as per the time limit stipulated aforesaid.

12. This Writ Appeal is dismissed with the aforesaid directions. No costs.

Consequently, connected Miscellaneous Petition is also dismissed.

(ANITA SUMANTH J.)(C.KUMARAPPAN J.)

24-03-2025

Index:No

Speaking order

Internet:Yes

Neutral Citation:Yes

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Note: Registry is directed to issue a copy of this order on or before 25.03.2025.

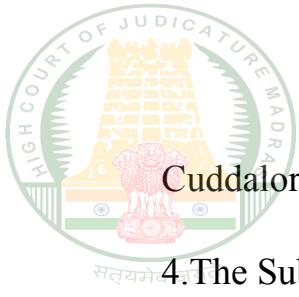
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