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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

CRP No. 5778 of 2025

Seetharaman

... petitioner(s)

Vs.

1. The Tahsildhar, Tahsildar Office,
Vikravani Taluk,
Villupuram District 605 652.
2. The Revenue Divisional Officer
Villupuram, Villupuram District 605 602.
3. The District Revenue Officer
Villupuram, Villupuram District 605 602.
4. The Collector, The Collector Office,
Villupuram 605 602.
5. Arutselvan @ Stalin,
S/o Mariyanathan
6. G.Jayaprakash, kS/o Mariyanathan

... Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the impugned fair and decreetal order passed in I.A.No.332 of 2025 in O.S.No.200 of 2020 dated 29.08.2025 on the file of learned District Munsif cum Judicial Magistrate, Vikravandi.



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For Petitioner(s) : Mr.S.Udaya Kumar

For Respondent(s) : Mr.D.Gopal, Govt.Advocate
for R1 to R4.

ORDER

This civil revision petition is filed, challenging the order passed by the Trial Court, dismissing the application filed by the petitioner under Section 10 of CPC, seeking stay of the proceedings in O.S.No.200 of 2020, till the final disposal of W.P.No.774 of 2018 on the file of this court.

2 .The petitioner herein filed a suit for declaration of title and permanent injunction in respect of the property situated in survey No.245/2Va in Thumbur, Vikkiravandi, Villupuram District. According to the petitioner, the revenue officials granted patta in his name and subsequently it was cancelled. Challenging the said proceedings, the petitioner filed W.P.No.774 of 2018 and in the said writ petition, this court granted status-quo order. In view of the same, the instant application has been filed by the petitioner seeking stay of the suit proceedings, pending disposal of the W.P.No.774 of 2018. The said application was dismissed by the Trial Court. Aggrieved by the same, the petitioner has come before this court.



3. The learned counsel for the petitioner would submit that the Trial Court passed the impugned order on the belief that the writ petition was disposed of.

However, as against the order passed in W.P.No.774 of 2018, dated 09.06.2023, the petitioner preferred an appeal in W.A.No.506 of 2024 and the same is still pending. In view of the pendency of the writ appeal, the suit proceedings in O.S.No.200 of 2020 shall be stayed.

4. It is settled law that the dispute with regard to the title can be decided only by a civil court and the same cannot be the subject matter for consideration in the patta proceedings. Admittedly, the petitioner filed a writ petition, challenging the order passed by the Revenue Officials, cancelling the patta issued in his name. Now, the writ appeal filed by the petitioner is said to be pending before this court. Any order passed in patta proceedings is only subject to the findings of the civil court with regard to the title in a regular suit. In the case on hand, the petitioner already moved the civil court seeking declaration of title and injunction. Any decree passed by the civil court will bind the petitioner as well as the revenue authorities. Therefore, the civil suit filed by the petitioner is comprehensive one and the same need not be stayed pending disposal of the writ appeal. In such circumstances, I do not find any error in the order passed by the Trial Court to interfere the same.



5. Accordingly, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

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20.11.2025

Internet: yes

Index: Yes/No

Neutral citation: Yes/No

MST

To

The District Munsif cum Judicial Magistrate,
Vikravandi.



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S.SOUNTHAR, J.

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