



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

WP No. 48765 of 2025

1. Rangarajan

Petitioner(s)

Vs

1. The Revenue Divisional Officer
Dharmapuri, Dharmapuri District

2.The Tahsildar
Palacode Taluk, Dharmapuri District

3.The Revenue Inspector
Marandahalli Village, Palacode Taluk
Dharmapuri District

4.Mangeshwari

Respondent(s)

PRAYER

Call for the records leading to the impugned order dated 17.11.2025 in Na.Ka. 7307 / 2025 / A5 Passed by the 1st Respondent and quash the same and consequently direct the first respondent to rectify the patta issued in favour of the petitioner as claimed by him in the representation dated 09.12.2022.

For Petitioner(s): Mr.C. Jagadish

For Respondent(s): MR.T.Arun kumar,
Additional Government Pleader
FOR RR1 to 3.



ORDER
(Order of the Court was made by S.M.Subramaniam J.)

The order of the Revenue Divisional Officer dated 17.11.2025 is sought to be assailed in the present writ proceeding.

2. Learned counsel for the petitioner would mainly contend that documents produced by the petitioner and the schedule of properties mentioned in the documents were accepted by Revenue Authorities. While so, they have issued a direction for removal of encroachment by stating that a portion of the land has been classified as “sandhu” (lane). Relying on few portions of the findings in the impugned order, learned counsel for the petitioner would reiterate that, having accepted the schedule, as found in the documents produced by the petitioner, authorities ought not to have issued direction for eviction by erroneously classifying the portion of the land as “lane”.

3. Close reading of the order would show that, in the concluding paragraph, authorities have stated that portion of the land has been classified as “lane” in the revenue records, and consequently, directed revenue authorities to remove the encroachments from the lane portion.

4. Under these circumstances, High Court cannot decide disputed issues of civil nature. Civil rights of the parties ought to be adjudicated in a trial



nature proceedings before the competent Civil Court of law. In the event of any adjudication based on the orders of the revenue officials or in a writ proceedings, the same may cause prejudice to any one of the parties, or there is a possibility of miscarriage of justice. This exactly is the reason why the Constitutional Courts time and again reiterated that disputed facts relating to civil rights cannot be adjudicated in a writ proceeding under Article 226 of the Constitution of India, and in the event of any such disputes, parties are to be relegated to approach the competent civil court of law.

5. In view of the dispute regarding civil rights, petitioner is at liberty to approach the competent Court of law. In the event of institution of any suit, Court may independently decide the issues based on documents and evidences available on records and uninfluenced by the orders passed by the revenue authorities or by this Court in the writ proceedings.

6. With these observations, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)

15-12-2025

gd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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