



CRP(MD). No.220 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 31/10/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). No.220 of 2024
and CMP(MD)No.932 of 2024
and
WP(MD). No.18479 of 2019
and WMP(MD)No.14888 of 2019

CRP(MD). No.220 of 2024

1. Subramanian,

2. Amutharani,

... Petitioners

Vs

S.Savarimuthu,
S/o.Soosaimuthu,
Kalaikulam Village,
Melamarunkoor Post,
Vannikudi Group, Devakottai Taluk,
Sivagangai District.

... Respondent

PRAYER :-

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order in I.A.No.2 of 2022 in O.S.No.128 of 2019 dated 06.12.2023 on the file of the Learned District Munsif, Sivagangai.



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For Petitioner : Mr. S.Rajasekar,
Advocate.

For Respondents : Mr.K.Rajeshwaran

WP(MD). No.18479 of 2019

S.Subramaniam,

... Petitioner

Vs

1. The District Collector,
O/o. District Collector,
Sivagangai District, Sivagangai.

2. The District Revenue Officer,
District Collector Office Campus,
Sivagangai District, Sivagangai.

3. The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Sivagangai District, Sivagangai.

4. The Tahsildar,
O/o. the Tahsildhar, Kalayarkovil Taluk,
Sivagangai District, Sivagangai.

5. S. Savarimuthu

... Respondents

PRAYER :-

To direct the respondent no. 1 and 2 to conduct an enquiry pertaining to grant of patta to the land in survey No.297/17 in 0.16.0 ares in Sub Division in no.297/18 in an extent of 0.16.0 ares in Vannikudi Group,



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Kalayar Taluk, Sivagangai District after hearing the petitioner and other interested parties including the respondent no.5.

For Petitioner : M/s. G. Sarathkumar
Advocate.

For Respondent : Mr.F.Deepak, - for R1 to R4
Special Government Pleader

Mr.C.Jeyaprakash for R5

COMMON ORDER

The Civil Revision Petition is filed to set aside the order in I.A.No. 2 of 2022 in O.S.No.128 of 2019 dated 06.12.2023 on the file of the Learned District Munsif, Sivagangai.

2. The Writ Petition is filed seeking a Writ of Mandamus, to direct the respondent no. 1 and 2 to conduct an enquiry pertaining to grant of patta to the land in survey No.297/17 in 0.16.0 ares in Sub Division in no. 297/18 in an extent of 0.16.0 ares in Vannikudi Group, Kalayar Taluk, Sivagangai District after hearing the petitioner and other interested parties including the respondent no.5.



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3. The petitioners had approached this Court for a mandamus to direct the respondents 1 and 2 in the Writ Petition to conduct an enquiry with regard to the grant of patta in S.No.297/17 and S.No.297/18 at Vanniyakudi Group, Karaikudi Taluk, Sivagangai District, after hearing the petitioner and other interested persons. Pending the writ petition, the respondent herein had instituted a suit against the writ petitioner and another seeking for declaration, recovery of possession and for other reliefs in O.S.No. 297/17 and 297/18. The petitioner had taken out an application for stay of the proceedings in suit till the disposal of the writ petition and the same came to be dismissed.

4. A Division Bench of this Court in a judgment reported in **1995 2 MLJ 426** in the case of *Kuppuswamy Nainar Vs The District Revenue Officer, Thiruvannamalai and others*, had held that in the matters related to orders granting patta, it will not be proper to entertain a writ petition and it would be only open to the aggrieved party to file a suit. The petitioner had also only sought for a mandamus to the revenue authorities to enquire into the manner in which the patta had been granted in favour



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of the private respondent herein. The respondent had instituted a suit with regard to the very same property before the Civil Court.

5. In view of the same, this Court is of the view that the mandamus as prayed for need not be granted in the circumstances of the case as already the Civil Court has seized of the matter. For the afore said reasons, without adjudicating the writ petition and the Civil Revision Petition, this Court directs the learned District Munsif, Sivagangai to expeditiously dispose of the suit in O.S.No.128 of 2019 as early as possible, however, not later than six months from the date of receipt of a copy of this order.

6. In view of the directions given above, the writ petition and the Civil Revision Petition stand closed. No costs. Consequently, connected miscellaneous petitions stand closed.

31.10.2025

NCC : yes / no
Index : yes / no
Internet : yes / no
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K.KUMARESH BABU, J

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To

1. The District Collector,
O/o. District Collector,
Sivagangai District, Sivagangai.
2. The District Revenue Officer,
District Collector Office Campus,
Sivagangai District, Sivagangai.
3. The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Sivagangai District, Sivagangai.
4. The Tahsildar,
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Sivagangai District, Sivagangai.

ORDER
IN
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