



W.P.(MD)No.2620 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2025

CORAM:

**THE HONOURABLE MR JUSTICE P.B. BALAJI**

W.P.(MD)No.2620 of 2024

Jeganathan

... Petitioner

/Vs./

1. The Commissioner,  
Land Revenue, Survey and Settlement,  
Chepauk, Chennai.
2. The Assistant Settlement Officer, (South-in-Charge),  
Office of the Director of Land Revenue, Survey and Settlement,  
Chepauk, Chennai -5.
3. The District Revenue Officer,  
Tenkasi District, Tenkasi.
4. The Revenue Divisional Officer,  
Tenkasi District, Tenkasi.
5. The Thasildar,  
Kadayanallur Taluk,  
Tenkasi District.
6. The Assistant Commissioner,  
Hindu Religious Endowment Department,  
Thirukutralanathar Swamy Temple,  
Kutralam, Tenkasi District.

... Respondents



W.P.(MD)No.2620 of 2024

WEB COPY

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of the third respondent passed in her proceeding in Ni.Mu.O1-6508-2023 dated 09.12.2023 and quash the same as illegal and consequently direct the respondents 2 to 5 to rectify the error in the revenue patta No.1 issued by the fifth respondent for the punja land in S.No.1087/5 of Kambaneri Pudukudi village-2 in Adangal No.1779/3 to an extent of 1 Acre 60 cents and issue separate patta for the above mentioned extent of land in the name of the petitioner within time frame as fixed by this Court.

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.B.Saravanan  
Additional Government Pleader for R1-5

: Mr.S.Manohar  
Standing Counsel for R6

### **ORDER**

The petitioner challenges the impugned order of the third respondent in proceeding No.Ni.Mu.O1-6508-2023 dated 09.12.2023 and to consequently direct the respondents 2 to 5 to rectify the error in the revenue patta No.1 issued by the fifth respondent for the punja land in S.No.1087/5 of Kambaneri Pudukudi village-2 in Adangal No.1779/3 to an extent of 1 Acre 60 cents.



W.P.(MD)No.2620 of 2024

WEB COPY

2. The case of the petitioner is that the petitioner's wife purchased 1 Acre 60 cents in Survey No.1087/5, vide registered settlement deed dated 09.07.1962 and subsequently, she died on 07.08.2013 and thereby, the petitioner has been in possession and enjoyment of the subject lands, as her only surviving legal heir. It is the further case of the petitioner that even during the UDR period, the Adangal survey number was changed into Survey No.1087/5 and the petitioner noticed the wrong entries in the revenue records, constraining him to approach the Tashildar, Tenkasi, with a request to modify the wrong entries.

3. The petitioner also moved writ petition before this Court in W.P. (MD).No. 28338 of 2022, which came to be disposed of vide order dated 23.12.2022, directing the third respondent therein, viz., District Revenue Officer, Tenkasi, to consider the revision to be filed by the petitioner, in accordance with law within a period of four weeks. On receipt of the order of this Court, the petitioner also filed revision before the District Revenue Officer and the District Revenue Officer has passed an order, which is impugned in the present writ petition, on the ground that the



W.P.(MD)No.2620 of 2024

WEB COPY

District Revenue Officer ought not to have directed the petitioner to approach the civil Court.

4. Admittedly, it is the case of the petitioner as well as the contesting sixth respondent Temple and the official respondents that the competent Authority to decide the issue would be the second respondent , viz., Assistant Settlement Officer. Therefore, the revision filed before the the District Revenue Officer by the petitioner is of no avail. If at all, the petitioner intends to have his grievance / redress, the petitioner ought to have made an application subject to the entitlement of the petitioner, before the Assistant Settlement Officer and not before the District Revenue Officer, who are acting under the Patta Passbook Act.

5. In view of the above, the observation of the third respondent, directing the petitioner to approach the competent civil Court shall not be binding on the petitioner and it shall be open to the petitioner to make an appropriate application before the Assistant Settlement Officer, who will be the competent Authority to redress the petitioner's grievance regarding removal of wrong entries. On such application being preferred before the



W.P.(MD)No.2620 of 2024

WEB COPY

second respondent, the same shall be disposed of on merits and after affording an opportunity to the sixth respondent temple.

6. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs.

Index : Yes / No  
NCC : Yes / No  
LS

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WEB COPY



W.P.(MD)No.2620 of 2024

**P.B. BALAJI, J.**

LS

6.The Assistant Commissioner,  
Hindu Religious Endowment Department,  
Thirukutralanathar Swamy Temple,  
Kutralam,  
Tenkasi District.

Order made in  
W.P.(MD)No.2620 of 2024

Dated:  
20.02.2025