



W.P.(MD)Nos.6472 of 2024 & 3508 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.03.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)Nos.6472 of 2024 & 3508 of 2025

and

W.M.P(MD)Nos.6051 and 6052 of 2024

W.P(MD)No.6472 of 2024:

Nallasivam

... Petitioner

Vs.

- 1.The District Revenue Officer,
Tirunelveli District, Tirunelveli.
- 2.The Revenue Divisional Officer,
Cheranmahadevi Revenue Division,
Cheranmahadevi,
Tirunelveli District.
- 3.The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.
- 4.Kannan
- 5.Madasamy
- 6.Chellammal
- 7.Kalyani



W.P.(MD)Nos.6472 of 2024 & 3508 of 2025

8.Muthukumar

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the record relating to the impugned order in Kaa2/1105/2023 (UDR 01/2023), dated 31.01.2024 passed by the 1st respondent and quash the same and consequently direct the 1st respondent to issue joint patta to the legal heirs of Padagalinga Asari by rectifying the error in UDR in respect to the Patta No.127, 907, 1092 and 1121 of Kesavasamuthiram Village, Cheranmahadevi Taluk, Tirunelveli District.

For Petitioner : Mr.V.Ragavachari
Senior Counsel
for Mr.T.Antony Arulraj

For R1 - R3 : Mr.B.Saravanan
Additional Government Pleader

For R4 – R8 : Mr.A.Chellapandian
for Mr.A.K.Baskarapandian

W.P(MD)No.3508 of 2025:

1.Kannan

2.Madasamy

3.Kalyani

4.Muthukumar

... Petitioners

Vs.



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1.The District Revenue Officer,
Tirunelveli District, Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi Revenue Division,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.

4.Nallasivam

5.Pappa

6.Ramalingam

7.Muthukumar

8.Murugan

9.Sekar

10.Maridurai

11.Ponlakshmi

12.Suresh

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified, to call for the records relating to the impugned order in Kaa2/1105/2023 (UDR 01/2023), dated 31.01.2024 passed by the 1st respondent and quash the same in so far as prohibiting the registration, mutation of patta and sub division of the property.



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For Petitioner : Mr.A.Chellapandian
for Mr.A.K.Baskarapandian

For R1 - R3 : Mr.B.Saravanan
Additional Government Pleader

For R4 : Mr.V.Ragavachari
Senior Counsel
for Mr.T.Antony Arulraj

For R5,10, 12 : No Appearance

ORDER

The petitioners in W.P(MD)Nos.6472 of 2024 and 3508 of 2025 challenge the very same order of the 1st respondent, dated 31.01.2024.

2. Heard the learned counsels on either side.

3. The order which is challenged in both these writ petitions is the order of the 1st respondent, dated 31.01.2024. In and by the said order, after discussing the respective claims of the petitioners in both these writ petitions, the 1st respondent has ultimately directed the parties to approach the competent Civil Court to seek relief. However, without stopping with such direction, the 1st respondent has proceeded to issue directions to the Sub Registrar concerned as well as the Sub Collector not to effect further mutation of records or entertain



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registrations pertaining to the subject property, by both the parties concerned. It

is this direction which is challenged primarily in both the writ petitions. The said direction issued by the 1st respondent is clearly amounting to usurping the powers of a Civil Court. The revenue authorities have no power to grant such directions and it is for the parties to approach the competent Civil Court to seek any interim relief that they may desire in their respective cases.

4. In so far as this direction is concerned, the learned counsel for the petitioners in both cases unanimously agreed that the said directions issued by the 1st respondent is clearly without jurisdiction and the same has to necessarily go. With regard to the ultimate decision of the 1st respondent directing the parties to go to the Civil Court, I do not find the said finding being patently illegal or perverse, considering the fact that there are rival claims to the very same property and complex factual matrix cannot be gone into by the revenue authorities. However, in the process of giving such direction to the parties to go to the Civil Court, the 1st respondent has ventured to give certain findings which may prejudice the interest of both the parties when they go before the competent Civil Court. Therefore, while retaining the direction with regard to the parties approaching the Civil Court to redress their grievances, it is made clear that any



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of the findings that have been rendered in coming to conclusion, shall not bind

the respective writ petitioners in both the cases. It is for them to approach the competent Civil Court and redress their grievances in a manner known to law.

5. With these observations, this Writ Petition stands partly allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

27.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no

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To:

- 1.The District Revenue Officer,
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- 2.The Revenue Divisional Officer,
Cheranmahadevi Revenue Division,
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P.B.BALAJI, J.

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