

W.A(MD)No.1681 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)No.1681 of 2025
and
C.M.P(MD)No.9417 of 2025**

R.Manoharan

... Appellant /
7th Respondent

Vs.

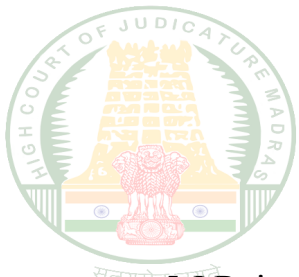
1.Sri Rangalatchumi Educational
Trust,
Represented by its Chairman,
R.S.K.Raguram,
PSNA College of Engineering &
Technology,
Silvarpatti,
Dindigul District.

... 1st Respondent /
Petitioner

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3.The Revenue Divisional Officer,
Dindigul.

4.The Tahsildar,
Dindigul West Taluk, Dindigul.



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5.J.Rajendri

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6.M.Dayamani

7.J.Davidraj

... Respondents 2 to 7 /
Respondents 1 to 6

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order passed by the learned Judge in W.P(MD)No.30491 of 2024 dated 03.03.2025 on the file of this Court.

For Appellant : Mr.PT.S.Narendravasan

For Respondents : Mr.M.P.Senthil for R.1

Mr.N.Satheesh Kumar
Additional Government Pleader
for R.2 to R.4

JUDGMENT

(Judgment of the Court was made by **G.R.Swaminathan J.**)

Heard both sides.

2.The petition mentioned property was purchased by the writ petitioner Trust in the year 1985. Based on the same, revenue record was mutated in their favour. This was changed in the year 2011 and the names of the predecessor in



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title were included as joint pattadhars vide order dated 04.02.2011 on the file of the District Revenue Officer, Dindigul. This was challenged by the writ petitioner herein by filing W.P(MD)No.4139 of 2011. The Writ Petition was allowed vide order dated 11.04.2022 in the following terms:

“23.This Court under Article 226 of the Constitution of India, cannot go into the title of the parties and the same can be decided only by adducing evidence before the appropriate Civil Court and any opinion by this Court on the documents relied on by the parties would prejudice the interest of the parties before the Civil Court.

24. As stated above, the Revenue authorities are not competent to issue a patta in favour of the parties, where there is a dispute among two persons on the title of the property. But, in this case, the first respondent/the District Revenue Officer, Dindigul, based on the report of the Revenue Divisional Officer, Dindigul and the settlement deed registered in favour of one Rajammal, mother of respondents 4 to 7, ordered for issuance of joint patta in favour of respondent Nos.4 to 7 in respect of the land in Survey No.791 and cancelled the patta granted in favour of the petitioner.

25.In the light of the Judgment in the case of Kuppuswami Nainar (as cited supra), the person, who has applied to the District Revenue Officer for change of patta should be directed to approach the Civil Court to establish



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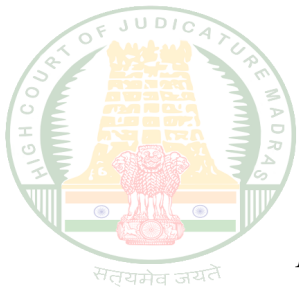
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the title and for seeking the grant of patta after cancelling the patta granted in favour of the petitioner. On this ground, the order of the first respondent dated 04.02.2011 is liable to be set aside and accordingly, the same is set aside. The parties shall workout their remedy before the appropriate Civil Court in the manner known to law. Based on the civil Court order, a fresh application for grant of patta or cancellation of patta shall be filed before the competent authority. No costs.”

3.The question that arose for consideration was whether as a consequence of the order dated 11.04.2022, the earlier position should be restored. Since the earlier position was not restored, the first respondent herein filed W.P(MD)No.30491 of 2024. The Writ Petition was allowed by the learned single Judge on 03.03.2025 in the following terms:

“5.The writ petitioner, aggrieved by the cancellation of patta in his name, approached this Court in the earlier round of litigation in W.P(MD)No.4139 of 2011. After hearing the rival claimants, this Court has directed the private respondents herein, who sought for change of patta to approach the civil Court to establish their title and thereafter, seek for not only grant of patta but also cancellation of patta granted in the names of the petitioner.

6.The learned counsel for the seventh respondent would interpret the order of this Court to the effect that there is no



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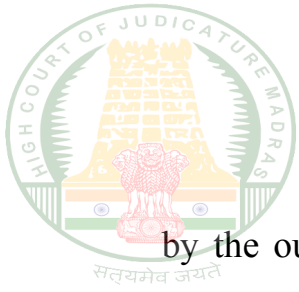
positive direction to restore the patta in the name of the petitioner. However, I am unable to countenance the said submissions for the simple reasons that the impugned order passed cancelling the patta in favour of the petitioner was set aside by this Court by allowing the said writ petition and secondly, the private respondents were directed to approach the civil court to establish title and consequently not only seek patta but also cancel the patta granted in favour of the petitioner, which impliedly means that the patta was directed to be restored in the name of the petitioner as it stood before the cancellation.

7.In view of the above, I am inclined to allow the writ petition in the following manner:

- (i) The Writ Petition is allowed;*
- (ii) The third respondent is directed to mutate patta in the name of the petitioner trust;*
- (iii) The said mutation shall be subject to the outcome of the suit in O.S.No.33 of 2025 filed by the contesting respondents pending before the Principal District Court, Dindigul. No costs ”*

Challenging the same, this Writ Appeal has been filed.

4.In the meanwhile, the order of the learned single Judge has been given effect to. We are of the view that the order of the learned single Judge does not require any interference. Be that as it may, the rights of the parties will abide



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by the outcome of O.S.No.33 of 2025 on the file of Principal District Court,

WEB COPY Dindigul. The learned trial Judge will decide the issue based on the evidence adduced before him/her without being influenced by the outcome of these proceedings.

5.This Writ Appeal stands dismissed. There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [K.R.S., J.]
25.06.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA

To

1.The Chairman,
Sri Rangalatchumi Educational
Trust,
PSNA College of Engineering &
Technology,
Silvarpatti,
Dindigul District.

2.The District Revenue Officer,
Dindigul District,
Dindigul.



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3. The Revenue Divisional Officer,
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4. The Tahsildar,
Dindigul West Taluk, Dindigul.

Copy to:

The Principal District Court,
Dindigul.



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G.R.SWAMINATHAN, J

and

K.RAJASEKAR, J.

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