



W.P(MD)N0.18036 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.18036 of 2025

and

W.M.P(MD)No.13816 of 2025

Santhini

... Petitioner

.Vs.

1.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.

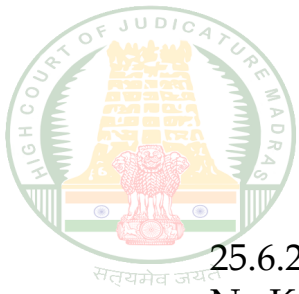
2.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

3.The Tahsildar,
Tiruchendur,
Thoothukudi District.

4.Manimuthu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order, dated 7.7.2023 passed by the first respondent in Na.Ka.No.T6/573388/2022, as well as the impugned order, dated



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25.6.2022 passed by the second respondent in Na.Ka.A3/1718/2022, and quash the same and further direct the first respondent to restore the revenue records in respect of patta No.3479 bearing S.No.565/2, Manaduthandupathu Village, Tiruchendur Taluk, Thoothukudi District as it stood prior to the impugned proceedings, dated 7.7.2025.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.M.Gangatharan
1 to 3 Govt. Advocate

ORDER

The Writ Petition is filed challenging the order passed by the first respondent affirming the order of the second respondent cancelling the revenue records in the name of Petitioner and directing maintenance of status-quo ante in the revenue records.

2.Mr.M.Gangatharan, learned Government Advocate takes notice for the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.It is the case of the Petitioner that the subject property was purchased by the Petitioner's vendor Kamaraj under registered sale deed, dated 6.3.1996. Patta for the subject property was jointly issued in the name of Kamaraj and five others in Patta No.2117. Subsequently, Kamaraj sold the subject property in favour of

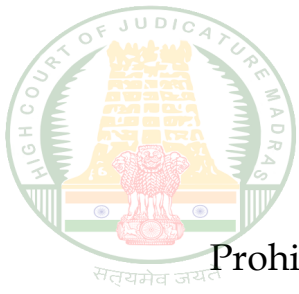


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Petitioner on 11.1.2021. Thereafter on application filed by the Petitioner, sub-division has been effected and patta was issued in the name of Petitioner in Patta No.3479. As sub-division has been effected a new sub-division number to the subject property has been given as S.No.565/2. The fourth respondent herein filed an application before the second respondent seeking cancellation of patta issued in the name of Petitioner and restoration of status quo ante on the ground that a civil suit was pending between the fourth respondent's father and Petitioner's vendor. The second respondent passed an order cancelling the patta issued in the name of Petitioner and directed maintenance of status quo ante on the ground that a civil suit was pending between the Petitioner's vendor and fourth respondent's father. Aggrieved by the same, the Petitioner filed a revision before the first respondent and the same was dismissed by affirming the order passed by the second respondent. Hence the Petitioner is before this Court with the present Writ Petition for the relief stated supra.

4. The learned counsel for the Petitioner vehemently contended that the fourth respondent father Chandrasekar claimed that the property was originally purchased by him in the name of Petitioner's vendor Kamaraj and therefore, the claim made by the fourth respondent's father is hit by Benami

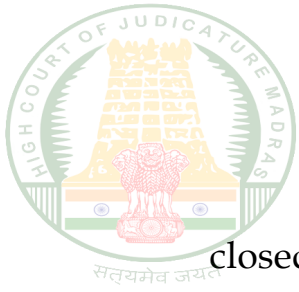


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Prohibition Act. Therefore according to him, the impugned order passed by the respondents 1 and 2 cancelling the patta issued in favour of the Petitioner, is untenable.

5.A perusal of the typed set of papers would suggest that the fourth respondent's father filed a suit seeking declaration of title and injunction against the Petitioner's vendor in O.S.No114 of 2021, on the file of Sub-Court, Thiruchendur and the same is pending. Even in the plaint averments, it is stated that the Petitioner's vendor attempted to alienate the property to the third party. Pending suit, the Petitioner purchased the property and got the revenue records mutated. When a civil suit is pending between the fourth respondent's father and Petitioner's vendor, the revenue records ought not to have been mutated in favour of the Petitioner. The second respondent rightly cancelled the patta and restored status quo ante. The Petitioner is a pendente lite purchaser. Any decree passed in the suit will bind on the petitioner. Therefore I do not find any error in the order passed by the respondents 1 and 2.

6.Accordingly, the Writ Petition stands dismissed. No costs. It is open to the Petitioner to work out her remedy in the pending civil litigation. Consequently, connected Miscellaneous Petition is



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closed.

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03.07.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

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S.SOUNTHAR.,J.

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ORDER MADE IN

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