



C.R.P.(MD)No.1909 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD].(MD)No.1909 of 2025

and

C.M.P.(MD)No.10763 of 2025

P.Muniyappan

...Petitioner

Vs.

N.Kathirvel

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the Impugned return of the Interlocutory application under I.A.Sr.No.4374 of 2025 in R.C.O.P.No.3 of 2017, dated 13.06.2025, on the file of the Principle District Munsif Court, Karur and to direct the Principal District Munsif Court, Karur to number the present Interlocutory Application under I.A.Sr.No.4374 of 2025 in R.C.O.P.No.3 of 2017, dated 13.06.2025.

For Petitioner : Mr.K.R.Laxman



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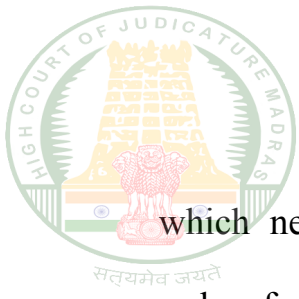
ORDER

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This petition has been filed seeking to set aside the Impugned return of the Interlocutory application under I.A.Sr.No.4374 of 2025 in R.C.O.P.No.3 of 2017, dated 13.06.2025, on the file of the Principle District Munsif Court, Karur and to direct the Principal District Munsif Court, Karur to number the present Interlocutory Application under I.A.Sr.No.4374 of 2025 in R.C.O.P.No.3 of 2017, dated 13.06.2025.

2.Learned Counsel for the petitioner would submit that the petitioner is a tenant in R.C.O.P.3 of 2017 and the said R.C.O.P. was filed by the respondent / landlord for eviction of the petitioner. At the time of trial, the petitioner filed I.A.Sr.No.4374 of 2025, for examining the Municipal Commissioner, to prove his title. However, the same was not numbered. Challenging the same, the present Civil Revision Petition has been filed.

3.Learned Counsel for the petitioner would submit that the petitioner is the owner of the property, in which the respondent claim as landlord. In order to prove the title of the petitioner, it is necessary to examine the Commissioner of Municipality, to ascertain certain documents and the same was not numbered,



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which needs interference by this Court. Accordingly, prays for appropriate orders from this Court.

4.Since no adverse orders are passed against the respondent, notice to the respondent is dispensed with and the present Civil Revision Petition is being disposed of at the admission stage itself.

5.The petitioner claims that he is the owner of the property. However, he is termed as a tenant in the R.C.O.P. In order to prove his title, he wants to examine the revenue officials. Thereby, he filed I.A.Sr.No.4374 of 2025 and the same was not numbered by the trial Court. In the case of ***Church of South India – Vs –State of Tamil Nadu & Ors. (W.P. No.30229/2004 –Dated 31.07.2019)***, placing reliance on the decisions of the Apex Court with regard to entries in the revenue records, this Court held that the entries in the revenue records alone will not confer title to a property. The relevant portion of the said decision is as under :-

“47. This Court as well as the Hon'ble Apex Court has repeatedly held in several judgments that the revenue records do not confer any title and the revenue records and document of title are only possessory rights. The relevant decisions are as follows:



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(i) *The decision of the Hon'ble Apex Court reported in (2016) 12 SCC 235 (Prem Nath Khanna and others Vs. Narinder Nath Kapoor), the relevant portion of which reads as follows:*

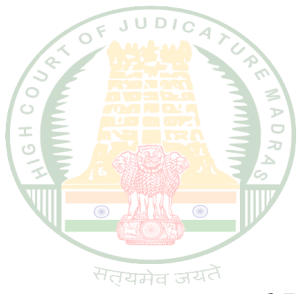
*“20. In addition to the abovementioned reason, the contention advanced by the learned counsel appearing on behalf of the respondents that the appellants failed to get the mutation of entries of the suit land incorporated in record shows that there was no intention on their part to act upon the contents of the two sale deeds, cannot be accepted as mere mutation of entries does not confer title upon the deceased Respondent 1 in the immovable property. In **Sawarni v. Inder Kaur (1996) 6 SCC 223**, this Court held as under:*

“7. ... Mutation of a property in the revenue record does not create or extinguish title nor has it any presumptive value on title. It only enables the person in whose favour mutation is ordered to pay the land revenue in question. The learned Additional District Judge was wholly in error in coming to a conclusion that mutation in favour of Inder Kaur conveys title in her favour. This erroneous conclusion has vitiated the entire judgment.”



21. In **Guru Amarjit Singh v. Rattan Chand** ((1993) 4 SCC 349), this Court held that the entries in jamabandi are not proof of title in respect of an immovable property. In *Jattu Ram v. Hakam Singh* ((1993) 4 SCC 403), this Court observed that entries made by patwari in official record are only for the purpose of records and do not by itself prove the correctness of the same nor can statutory presumption be drawn on the same, particularly, in the absence of corroborative evidence. The respondent cannot claim to have acquired title over the suit property by pleading adverse possession only in the absence of the name of the appellants in the revenue records. In **Kishan Singh v. Arvind Kumar** ((1994) 6 SCC 591) and **P.T.Munichikanna Reddy v. Revamma** ((2007) 6 SCC 59), this Court held that in cases where the possession was initially permissive, the burden lies heavily on that person alleging adverse possession to prove that the possession has become adverse. Mere possession for long time does not convert permissive possession into adverse possession.” A perusal of the above decision makes it clear undoubtedly the entries in the record, the patta is not a title. The petitioner's claim based on the patta is also un-sustainable one.”

(Emphasis Supplied)



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6. In the light of the aforestated legal position, there could be no semblance of doubt that mere payment of bills which reflect the name of the petitioner would not cloth any title on the petitioner. Therefore, the contention of the petitioner that the statutory dues are being paid by him will not suffice to confer title on the petitioner. Therefore, the contention advanced in this regard does not merit acceptance and also will not establish any cause of action for the petitioner to maintain the said interlocutory application. Examining the revenue officials to prove the title is not necessary and the trial Court has rightly dismissed the said application, which need not be interfered with.

7. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The Principle District Munsif Court,
Karur.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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