



W.P.(MD) No.18484 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.18484 of 2025

and

W.M.P(MD)Nos.14184 and 14185 of 2025

S.Gopal

... Petitioner

Vs.

- 1.The District Revenue Officer,
Pudukkottai, Pudukkottai District.
- 2.The Revenue Divisional Officer,
Pudukkottai, Pudukkottai District.
- 3.The Tahsildar,
Karambakudi, Pudukkottai District.
- 4.Maniclass

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records relating to the impugned order in Nee.MU.D.3/24462/2020 passed by the first respondent in his proceedings, dated 13.10.2023 and quash the same as illegal and pass such further or other orders.



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For Petitioner : Mr.N.Kamesh

For Respondents : Mr.A.Baskaran,
Additional Government Pleader,
for R1 to R3.

ORDER

The Writ Petition is filed challenging the order passed by the first respondent restoring the revenue records in the name of 7 persons including the petitioner's father Srinivasan Konar as it stood prior to the UDR upgradation.

2.Heard the arguments of Mr.N.Kamesh, learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader, who takes notice for the respondents 1 to 3. Since no adverse order is passed against the fourth respondent, notice to the fourth respondent is dispensed with.

3.By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.



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4. It is the case of the petitioner that the subject property was purchased by the petitioner's father Srinivasan Konar under registered sale deed, dated 13.01.1952 and in the old settlement patta, the name of six other persons were reflected along with the petitioner's father's name erroneously. The petitioner also instituted a civil suit for declaration of title and consequential injunction in O.S.No.230 of 2023 on the file of District Munsif Court, Karambakkudi and the same is pending.

5. In the mean time, an application was filed on behalf of the Kanakkankadu Villages, seeking cancellation of UDR patta in the name of petitioner on the ground that the subject property has been used as a Village communal property. The first respondent by the impugned order found that prior to UDR upgradation, the subject properties stood in the name of seven persons including the name of petitioner's father Srinivasan Konar in village A-register and in the absence of any document to establish the exclusive right of the petitioner, the first respondent restored the Revenue records in the name of seven persons as it stood prior to UDR. Aggrieved by the same, the petitioner has come before this court.



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6. The learned counsel appearing for the petitioner would submit that the subject property was purchased by the petitioner's father in the year 1952 and hence, he has got exclusive right over the same.

7. A perusal of the sale deed, dated 13.01.1952 would establish that the subject property situated in Survey No.255/4 was not the subject matter of sale in 1952 document and prior to UDR Upgradation, the subject properties stood in the name of petitioner's Father Srinivasa Konar and six other persons. During UDR, the Revenue records have been mutated in favour of the petitioner. However, the petitioner has no document to substantiate his exclusive right. Therefore, the first respondent has rightly restored the revenue records in the name of seven persons including the petitioner's father's name as it stood prior to UDR upgradation. The petitioner already filed a civil suit for declaration of title and consequential injunction in respect of the subject properties.

8. In these circumstances, it is for the petitioner to establish his right, if any, before the Civil Court and then move the revenue authorities seeking mutation of revenue records based on the Civil Court



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decree. I do not find any error in the order passed by the first respondent.

Hence, this Writ Petition is dismissed. No costs. It is open to the petitioner to establish his right before the Civil Court. Consequently, connected Miscellaneous Petitions are closed.

08.07.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
das

To

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S.SOUNTHAR,J.

das

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