BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.18747 of 2025
and
WMP (MD) No.14368 of 2025

S.Venkatachalapathi ... Petitioner

Vs.

1. The District Collector,
Tenkasi District,
Tenkasi.

2. Revision Petition Enquiry Officer /
the District Revenue Officer,
Collectorate Campus,
Tenkasi District.

3. The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Sankarankoil,
Tenkasi District.

4. The Tahsildar,
Sankarankoil,
Tenkasi District.

5. R.S.Gandhi
6. S.Kalikumar
7. S.Sivamanikandan
8. S.Maheshkumar ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order in Ni.Mu.COLR /2725/2025-H2 (Si.Ma.16/2025) dated 19.06.2025 on the file of the Respondent No.2 and quash the same as illegal and consequently for a direction, directing the Respondent No.2 to rectify the UDR Mistake and restore the Patta in Patta No. 1836 granted in favour of the Petitioners father namely R.Shanmugavel Thevar in an extent of 1.43 Hectares (3.53 Acres) in S.no. 475/6, 7 and 8 in Therkusankarankovil village, Sankarankovil Taluk, Tenkasi District within the time period.

For Petitioner	:Mr.T.Aswin Raja Simman
For Respondents	:Mr.P.Thambidurai Government Advocate for R1 to R4 Mr.R.J.Karthick for R5 Mr.M.Thirunavukkarasu for R6

O R D E R

The petitioner is the son of R.Shanmugavel Thevar. On the ground that the 'A' Register prepared upon abolition of inam lands stood in the name of the petitioner's father, the petitioner had approached the District Revenue Officer for correction of the alleged UDR error. By challenging an order dated 29.01.2025 of the District Revenue Officer rejecting the petitioner's request for correction of UDR errors, the petitioner filed W.P.(MD) No.5505 of 2025. By order dated 10.03.2025, the said order was interfered with only in respect of Survey Nos.475/6 to 475/8 and the matter was remanded for reconsideration. Pursuant to such reconsideration, the order impugned herein was issued rejecting the petitioner's request for correction of UDR errors.

2. Learned counsel for the petitioner referred to the impugned order and pointed out that such order took note of the revenue records from the pre-UDR period. In particular, it is submitted that it was noticed in the said order that the pattadhar in respect of Survey No.475/6 to 475/8 was R.Shanmugavel Thevar, under Patta No.1836. Learned counsel also submits that it was recorded that Survey Nos.475/6 to 475/8 appear to have been combined in Survey No.475/1 of an extent of 4.78 hectares, but there are no records in the village accounts with regard to such consolidation or combination. Therefore, learned counsel contends that the District Revenue Officer failed to exercise the jurisdiction vested in him by examining all relevant revenue records and providing a categorical finding on the issue. As regards the civil suit filed in O.S.No. 179 of 2008, learned counsel submits that the said suit was filed by the members of the family of respondents 6 to 8 and that the petitioner was not a party thereto.

3. Learned counsel for respondents 6 to 8 submits that the relevant lands were subsequently transferred by respondents 5 to 8 in favour of third parties and that the current owner of the property is the fifth respondent.

4. Learned counsel for the fifth respondent submits that the declaration in the civil suit relates to the total extent of 4.78 hectares in Survey No.475/1. In the face of such civil court decree, learned counsel submits that the District Revenue Officer had no option but to relegate the petitioner to the jurisdictional civil court. In support of the proposition that revenue officials cannot determine questions of title, learned counsel relies upon the judgement of the Division Bench of this court in *Vishwas Footwear Company Limited v. the District Collector, Kancheepuram and others* (*2011 (5) CTC 94*). Consequently, learned counsel contends that there is no infirmity in the order warranting interference.

5. Learned Government Advocate submits that the petitioner should approach the jurisdictional civil court for redressal and that the issue raised by the petitioner cannot be decided by the District Revenue

Officer.

6. In the impugned order, the District Revenue Officer noticed that the lands in Survey Nos.475/6 to 475/8 were recorded in the inam abolition 'A' register in the name of R.Shanmugavel Thevar. It is recorded further that the specific survey numbers do not find place in the UDR records. Thereafter, the District Revenue Officer took note of the Revenue Divisional Officer's order stating that Survey Nos.475/6 to 475/8 appear to have been consolidated in Survey No.475/1 during the UDR period, but that there are no records with regard to such consolidation. This is an aspect which falls squarely within the province of the revenue authorities and therefore, it is necessary for them to provide a categorical statement with regard to the same. This assumes importance because the judgment and decree in O.S.No.179 of 2008 pertains only to Survey No.475/1 of the extent of 4.78 hectares. In case the lands in old Survey No.475/6 to 475/8 do not fall within the land in present Survey No.475/1, there would be no objection from the fifth respondent to the petitioner seeking an UDR correction. On the contrary, if a categorical statement is issued that lands in old Survey No.475/6 to 475/8 are subsumed by lands in current Survey No.475/1, the petitioner

would have to take necessary measures to challenge the declaratory decree obtained by respondents 6 to 8.

7. Therefore, this writ petition is disposed of by declining to interfere with and set aside order dated 19.06.2025, but by directing the District Revenue Officer to examine all the revenue records carefully and thereafter, inform the petitioner as to whether old Survey No.475/ 6 to 475/8 were consolidated into Survey No.475/1 including whether the entire extent in the earlier survey numbers were subsumed in Survey No. 475/1. Upon receipt of such information, it will be open to the petitioner to initiate proceedings before the jurisdiction of civil court. The above information shall be provided to the petitioner within a maximum period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

10.11.2025

NCC :No
Internet :Yes
Index :No
PKN

To
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SENTHILKUMAR RAMAMOORTHY, J.

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