



W.A.(MD)No.1018 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.03.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A.(MD)No.1018 of 2022
and
C.M.P.(MD)No.8216 of 2022**

Augustus Samuel Dodd

... Appellant

Vs.

1.The Revenue Divisional Officer,
Devakottai.

2. Saravanan

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order dated 05.08.2022 in W.P.(MD).No.23125 of 2015 on the file of this Court.

For Appellant : Mr.B.Saravanan, Senior Counsel,
For Mr.D.Kirubakaran.

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R1.
Mr.B.Muruganandam for R2.



W.A.(MD)No.1018 of 2022

JUDGMENT

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Heard both sides.

2.The petition mentioned property stood in the name of the appellant's father. At the instance of the second respondent herein, patta was cancelled by the Revenue Divisional Officer, Devakottai. Challenging the order of cancellation dated 02.12.2015, the appellant filed W.P.(MD)No.23125 of 2015. The writ petition was dismissed vide order dated 05.08.2022. Challenging the same, this writ appeal came to be filed.

3.When the matter was taken up for hearing, the contesting parties reported amicable resolution of the matter. A memo of compromise dated 15.03.2025 signed by the appellant and the second respondent as well as their respective counsels has been filed. The memo reads as follows:-

“MEMO OF COMPROMISE

1.It is respectfully submitted that the 1st respondent passed an order in his proceedings Pa.Mu.A1-2766-2015 dated 30.10.2015 and thereby the patta in respect of land in New S.No.



WEB COPY



W.A.(MD)No.1018 of 2022

9/36C (Old S.No.9/36), admeasuring 20 cents, Karaikudi Nagar, Sekkalaikottai Group, Karaikudi Taluk, the patta which stood in the name of the father of the appellant herein with a further direction to the Tahsildar, Karaikudi to restore patta to its original state, by entering the name of Mangaibaagakonar, S/o.Vellaiyappa Konar (Patta No.63).

2.It is further submitted that aggrieved against the order passed by the 1st respondent, the appellant preferred to file W.P(MD)No.10263 of 2015 before this Hon'ble Court and this Hon'ble Court passed an order in the said writ petition on 05.08.2022. Aggrieved against the same, the appellant has preferred to file W.A(MD)No.1018 of 2022.

3.It is further respectfully submitted that in the meanwhile, the appellant and the 2nd respondent has arrived at a settlement and entered into a compromise to settle the dispute over the landed property in in New S.No.9/36C (Old S.No.9/36), admeasuring 20 cents, Karaikudi Nagar, Sekkalaikottai Group, Karaikudi Taluk. The terms of the settlement are given below:

(a). The Principal namely Tmt.Sagunthala, W/o.Radhakrishnan had executed a power of attorney in favour of the 2nd respondent herein and the same was registered in Doc.No.191/2010 dated 10.02.2010 on the file of Sub-Registrar, Karaikudi and another power of attorney was executed by the principals of the 2nd respondent namely R.Amudan, Aruna and Solaiamirdham had



WEB COPY



W.A.(MD)No.1018 of 2022

executed a general power of attorney in Doc.No.111/2009 dated 24.06.2009 on the file of Sub-Registrar, Karaikudi, to deal with the landed property in New S.NO.9/36C (Old S.No.9/36), Karaikudi Nagar, Sekkalaikottai Group, Karaikudi Taluk to an extent of 20 cents. The 2nd respondent and his principals mentioned above have agreed to give up all their rights over the landed property in New S.No.9/36C (Old S.No.9/36) admeasuring 20 cents, Karaikudi Nagar, Sekkalaikottai Group, Karaikudi Taluk. It is agreed that neither the 2nd respondent nor his principals or their legal representatives or their legal heirs or their agents or others have got any rights whatsoever over the landed property in New S.No.9/36C (Old S.No.9/36) admeasuring 20 cents, Karaikudi Nagar, Sekkalaikottai Group, Karaikudi Taluk.

(b). Based on the compromise arrived at between the appellant and the 2nd respondent herein the appellant has paid a sum of Rs. 10,00,000/- (Rupees ten lakhs only) through bank transfer to the 2nd respondent and the particulars of the same are given below:

- i. 04.03.2025 – Rs.50,000/- through HDFC Bank.*
- ii. 05.03.2025 – Rs.4,50,000/- through HDFC Bank.*
- iii. 10.03.2025 – Rs.5,00,000/- through HDFC Bank.*

(c). The 2nd respondent is willing to withdraw his application dated 14.05.2015 made before the 1st respondent requesting for alteration of patta in respect of the property mentioned above. The 2nd respondent and his principals have no objection to restore the patta in the name of the appellant in respect of the land in New



WEB COPY



W.A.(MD)No.1018 of 2022

S.No.9/36C (Old S.No.9/36) admeasuring 20 cents, Karaikudi Nagar, Sekkalaikottai Group, Karaikudi Taluk and both the appellant and the 2nd respondent on behalf of his principals request this Hon'ble Court to allow the above writ appeal by setting aside the order passed by the 1st respondent in his proceedings Pa.Mu.A1/2766/2015 dated 30.10.2015 with a further direction to the 1st respondent to restore patta in the name of the appellant's father.

(d). The 2nd respondent undertakes on behalf of his principals that he has no claims over the property in dispute namely the land in New S.No.9/36C (Old S.No.9/36), Karaikudi Nagar, Sekkalaikottai Group, Karaikudi Taluk admeasuring 20 cents in any manner whatsoever and neither the 2nd respondent nor his principals or their representatives or legal heirs or others would file any petitions / applications before any authorities or any legal forums claiming any rights over the landed property in New S.NO. 9/36C (Old S.No.9/36), Karaikudi Nagar, Sekkalaikottai Group, Karaikudi Taluk admeasuring 20 cents and the payment received by the 2nd respondent on behalf of his principals is towards full and final settlement and they have no further claims.

(e). This Hon'ble court may be pleased to allow the above writ appeal setting aside the order passed by the 1st respondent in his proceedings Pa.Mu.A1/2766/2015 dated 30.10.2015 and the order passed in W.P(MD)No.10263 of 2025 dated 05.08.2022.

In the above circumstances, it is prayed that this Hon'ble court may be pleased to take on record the joint compromise memo filed



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W.A.(MD)No.1018 of 2022

by the appellant and the 2nd respondent and allow the above writ appeal and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Madurai on this the 15TH day of Mar, 2025. ”

4.In this view of the matter, the order impugned in this writ appeal as well as the order impugned in the writ petition are set aside. The revenue record in respect of the petition mentioned property shall reflect the name of the appellant.

5.The writ appeal is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (M.J.R. J.)
27.03.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

The Revenue Divisional Officer,
Devakottai.

6/8



WEB COPY



W.A.(MD)No.1018 of 2022



WEB COPY



W.A.(MD)No.1018 of 2022

G.R.SWAMINATHAN, J.
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W.A.(MD)No.1018 of 2022

27.03.2025