

W.P(MD)No.24578 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2025

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THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.24578 of 2025

C.Ilangovan

... Petitioner

Vs

1.The District Collector,
Pudukkottai and District.

2.The Block Development Officer,
Aranthangi Panchayat Union,
Aranthangi, Pudukkottai District.

3.Renganathan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the second respondent to consider the petitioner's objection representation in the month of April, 2025 & 27.06.2025 for the objection to issuing order in favour of the third respondent for construction of house under the Government Scheme in S.F.No. 149/4B and pass appropriate order within a time stipulated fixed by this Court by considering petitioner's representation dated 07.08.2025.

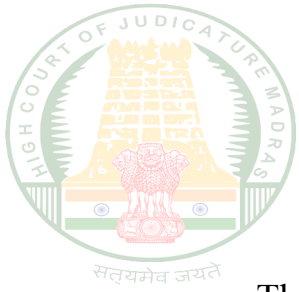
For Petitioner : Mr.A.Aruljenifer

For Respondents : Mr.A.Kannan (for R1)

Additional Government Pleader

Mr.C.Venkatesh Kumar (for R2)

Special Government Pleader



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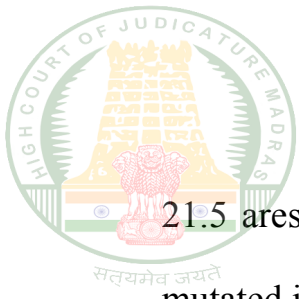
ORDER

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The petitioner seeks a mandamus to the second respondent to consider his objection/ representation given in the month of April, 2025 & June, 2025 seeking not to grant permission to the third respondent for putting up construction of house under the Government Scheme in S.F.No.149/4B and pass orders within a time stipulated fixed by this Court by considering the petitioner's representation, dated 07.08.2025.

2.Heard the learned counsel appearing for the petitioner and Mr.A.Kannan, learned Additional Government Pleader, who takes notice for the first respondent and Mr.C.Venkatesh Kumar, learned Special Government Pleader, who takes notice for the second respondent. By consent, this writ petition is taken up for final disposal at the time of admission itself.

3.It is the case of the petitioner that the properties comprised in S.Nos. 149/2, 149/4, 149/9 and 149/10 of Vallavari Village, Aranthangi Taluk, Pudukkottai District, are his ancestral properties and SLR patta also stood in the name of his grandfather, namely Silamban Samban @ Chitambram Samban. The petitioner would submit that the property in question was allotted to his father Chinnaiah, who is the son of the said Silamban Samban @ Chitambram Samban under the family arrangements. The property in S.No.149/2, measuring



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21.5 ares was sub-divided into S.F.No.149/4A, 149/4B and 149/4D and also mutated in patta No.1912 in the name of the petitioner's father.

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4.After the demise of the petitioner's father, the property devolved upon the petitioner and his brothers. Neither the petitioner nor his siblings have entered into any partition or family arrangement. After sub-division, S.F No. 149/4B stands in the name of the petitioner's father Chinnaiah even as early as in the year 2018. In this circumstances, in the month of March, 2025, with regard to the property in S.F.No.149/4B, the petitioner came to learn that the third respondent and one Valliammal created a forged document and got patta in their names. The petitioner also came to know that during UDR updating, S.F.No.149/4B was mistakenly registered in the name of Ganagasundaram, husband of Valliammal. However, in the computer chitta and village account, the property stood in the name of petitioner's father Chinnaiah, till 2024. It is in these circumstances, the third respondent had taken steps to put up a construction, which was strongly objected by the petitioner. The petitioner had immediately submitted objections to the second respondent and requested him not to grant permission to the private respondent herein. However, he does not seem to be taken any steps to prevent the illegality. The petitioner would further submit that he also made an application to the district Revenue Officer claiming to rectify the UDR entry and the said application is pending. Since



the construction is on going, the petitioner has come forward with the writ petition.

5.Considered the submissions made by the learned counsel on either side and the materials on record.

6.A mere perusal of the narration set out in the writ affidavit, makes it clear that there is a serious dispute with regard to the title, which dispute has to be sorted out only before the civil Court. The title to the property is not established by either party. Further, the petitioner by filing this writ petition, is attempting to create right over the subject property. The petitioner would contend that they have revenue records. It is seen that even the third respondent have revenue records in respect of the property in question in his favour.

7.Admittedly, the revenue records will not confer any title over the property in question. Title to immovable property must be determined by a competent civil court based on independent evidence. Therefore, the petitioner's objections cannot, at this stage, be considered by the revenue authorities particularly, when there are serious issues regarding title or by this Court under Article 226 of Constitution of India. It is open to the petitioner to approach the



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civil Court to establish his title and thereafter, work out his remedy in accordance with law.

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8. With the above observations, this writ petition is dismissed. No costs.

11.09.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
Rmk

To

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2. The Block Development Officer,
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Aranthangi, Pudukkottai District.



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P.T.ASHA, J.

Rmk

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