



W.A.(MD)No.1252 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A(MD)No.1252 of 2022

and

C.M.P(MD)No.9753 of 2022

1.M.Rajendran

2.S.Selvi

3.S.Mariappan

4.S.Deivanai

... Appellants /
Petitioners

Vs.

1.The Revenue Divisional Officer,
Tiruchirappalli.

2.The Tahsildar,
Tiruvarampur Taluk,
Tiruchirappalli District.

3.N.Sakthivel

4.N.Manoharan

5.V.Murugan

6.Raghavendran



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7.Helan Mary

8.P.Gnanasoundari

9.P.Selvamary

10.S.Pavitra

11.N.Mahalakshmi

12.G.Geetha

13.Usha Ganesan

14.S.Ganesan

***(R.13 & R.14 are impleaded vide
order of this Court dated 13.03.2025)***

... Respondents /
Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 05.09.2022 made in W.P(MD)No.9243 of 2013 on the file of this Court by allowing this Writ Appeal as prayed for.

For Appellants : Mr.R.Sundar Srinivasan

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 & R.2

Mr.G.S.Asok Adhithyan
for R.5, R.6, R.10, R.11 & R.12

Mr.S.Rajasekar for R.7

Mr.C.R.Shanmuganathan
for R.13 & R.14

No Appearance for R.4



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JUDGMENT

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(Judgment of the Court was made by G.R.Swaminathan J.)

Heard both sides.

2.The appellants herein challenged the order dated 17.04.2013 passed by the Revenue District Officer, Trichy. By the said order, the Revenue District Officer, Trichy had directed deletion of the names of the appellants from the revenue record in respect of Survey No.288/2B, Cholamadevi Village, Thiruverumbur Taluk. He gave a further direction that since the layout for the land in question had been approved way back in the year 1987 and plots were also carved out, the revenue record should be mutated in terms of the transactions that have taken place based on the layout approval. The learned single Judge vide order dated 05.09.2022 dismissed the writ petition. Challenging the same, this Writ Appeal came to be filed.

3.The case of the appellants is that they had purchased their respective parcels of land from the previous pattadhars. Our attention is drawn to the UDR entry from which it can be seen that Patta No.1212



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pertaining to the subject property stood in the names of as many as 34 persons.

4. After a careful consideration of the rival contentions and perusal of the materials on record, we are satisfied that this is a classic civil dispute. The Hon'ble Division Bench reported in **2011 (5) CTC 94 (Vishwas Footwear Company Limited Vs The District Collector & Others)**, had held that the revenue authority cannot adjudicate title disputes and should relegate the parties to go before the jurisdictional civil Court. In the case on hand it is seen that the sixth respondent had already filed O.S.No.1045 of 2012 before the II Additional District Munsif Court, Tiruchirappalli. The learned counsel appearing for the appellant would state that this suit suffered dismissal on merits. We do not want to go into the said aspect. Respectfully applying the ratio laid down in **Vishwas Footwear** case, we hold that the Revenue Divisional Officer, Trichy grievously erred in undertaking the exercise of adjudicating the rival claims of title. On this sole ground, the order impugned in the Writ Petition is set aside and as a result the order dated 05.09.2022 in W.P(MD)No.9243 of 2013 is also set aside. This Writ Appeal is allowed. As a consequence of this order, the position that



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originally obtained at the time of UDR will be restored. The parties will

have to work out their rights in the manner known to law. No costs.

Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [M.J.R., J.]
13.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

To

- 1.The Revenue Divisional Officer,
Tiruchirappalli.
- 2.The Tahsildar,
Tiruvarampur Taluk,
Tiruchirappalli District.



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AND

M.JOTHIRAMAN, J.

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