BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :06.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.26464 of 2025

K.Sithan ... Petitioner

Vs.

1. District Revenue Officer,
O/ District Revenue Office,
Collector Office Road,
Alwarpuram,
Madurai 625 020.

2. Alagumeena

3. Rajeshwaran

4. Ashok

5. Karthik ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent herein to pass final orders in the proceeding Reference No G5/2973362/2025 pending on the file of 1st respondent.

For Petitioner :Mr.Niranjan S.Kumar
for Mr. S.Vidhya Sagar

For Respondents :Mr.K.Balasubramani
Spl.Government Pleader for R1
Mr.V.Nagendran for R2 to R5

ORDER

The petitioner had filed a petition before the District Revenue Officer in respect of alleged UDR errors. The said petition is pending at an advanced stage before the first respondent. Early disposal thereof is prayed for.

2. Learned counsel for the petitioner states that the property in old Survey No.235/8, corresponding to new Survey No.97/8, at Pothumbu Village, Madurai District was purchased by his father, late Kendi Servai, through a registered sale deed bearing Document No.1415 of 1971. After the demise of his father, it is stated that the petitioner and his sisters succeeded to the estate and have been in enjoyment of the property. According to the petitioner, while taking steps to partition the property after the death of his father, it was noticed that the patta reflects the name of one Veeranan Servai for the entire extent and not merely the extent of 42 cents. The District Revenue Officer was approached for correction of such UDR error. The petitioner filed an earlier writ petition in W.P.(MD)

No.23230 of 2024, seeking a direction to the first respondent to conduct an inquiry on the application. The said writ petition was allowed by directing the first respondent herein to pass orders within 8 weeks. Thereafter, it is stated that the private respondents participated in the proceedings by attending multiple hearings. Eventually, at the hearing on 04.09.2025, it was stated that a civil suit in O.S.No.480 of 2025 was filed before the I Additional Sub Court, Madurai and that the proceedings before the District Revenue Officer should await the outcome of the civil suit.

3. Learned counsel for respondents 2 to 5 relies on circular dated 13.03.2016 of the Commissioner of Land Administration to contend that revenue authorities should not proceed with a matter when a civil suit is pending. He contends that only the civil court is competent to decide questions of title.

4. On perusal of circular dated 13.03.2016, it is evident that the said circular pertains to the exercise of jurisdiction by the Tahsildar, Revenue Divisional Officer and District Revenue Officer under the Tamil Nadu Patta Passbook Act, 1983. The said statute deals with issuance,

mutation and cancellation of pattas. By contrast, power is exercised by the District Revenue Officer in relation to alleged UDR errors under G.O.(Ms.) No.385 dated 17.08.2004. Under the said circular, the remit of the District Revenue Officer is to examine the pre-UDR records, such as the settlement register, and compare the same with the UDR records. The District Revenue Officer is required to verify as to whether there is a legitimate link between the pre-UDR pattadhars and the post-UDR pattadhars. For the purpose of verifying whether such link exists, title documents may be examined to ascertain whether a pre-UDR pattadhar conveyed the property to the UDR pattadhar. This does not amount to adjudication of title, but is a rational method to verify whether there is a UDR error. If such link is established, it follows that there is no UDR error. Otherwise, upon noticing that there is a UDR error, the District Revenue Officer would be required to restore the revenue records to the correct status. In course of such inquiry, the District Revenue officer cannot decide questions of title, including the validity of rival sale deeds that may be presented by parties to such proceedings. Parties should be relegated to the jurisdictional civil court for resolution of such title disputes.

5. Subject to the above observations, this writ petition is disposed of by directing the first respondent to consider and decide the petition seeking correction of alleged UDR errors on merits, within two months from the date of receipt of a copy of this order, after providing a reasonable opportunity to the petitioner and the private respondents herein. No costs.

06.11.2025

NCC :Yes
Internet :Yes
Index :No
PKN

To
District Revenue Officer,
O/ District Revenue Office,
Collector Office Road,
Alwarpuram,
Madurai 625 020.

SENTHILKUMAR RAMAMOORTHY, J.

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