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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WA No. 1726 of 2023

S. Rama Asokan
S/o.Sanjeevan, No.25, 6th Street, Pudupet Road,
Thiruppathur Town and District.

..Appellant(s)

Vs

1. The District Collector
O/o.The Collectorate of Vellore District,
B-Block, Collectorate, Sathuvachari,
Vellore-632 009.
2. The Revenue Divisional Officer
B-Block, Collectorate, Sathuvachari,
Vellore-632 009.
3. The Special Tahsildar,
Nagara Nilavari Thittam, Vaniyambadi Tk.,
Vellore Dist. - 635 751.
4. Kanchana

..Respondent(s)

Writ Appeal under Clause 15 of Letters Patent filed to allow the above writ appeal and set aside the order passed in WP No. 21771 of 2016 dated 07.09.2022.

For Appellant(s): Mr.S.V.Karthikeyan

For Respondent(s): Mr.T.Arun Kumar
Additional Government Pleader for R1-3
No appearance for R4



JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

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Writ order dated 07.09.2022 in WP.No.21771 of 2016 is under challenge in the present writ proceeding.

2. 4th respondent, Smt.Kanchana, instituted a writ proceeding challenging the patta granted in favour of the appellant by Tahsildar vide Patta dated 14.02.2012. Writ Court considered the factual issues raised between the parties and made a finding that 4th respondent's mother had engaged the appellant herein, who is a practising advocate, to file a civil suit in OS No.103 of 2010 before the Principal District Magistrate Court, Vaniyambadi. Allegations are raised against the appellant, who is an advocate. Considering those factual aspects, Writ Court set aside patta granted in favour of the 4th respondent.

3. Admittedly, civil dispute between the parties is pending. In respect of the allegations raised against a practising lawyer, it is up to the parties to initiate appropriate action. As far as civil rights in respect of immovable properties are concerned, parties have already approached the Civil Court, and issues ought to be resolved by crystallising the civil rights between the parties.



4. Section 14 of the Patta Passbook Act stipulates Bar of Suit. However, Proviso clause states that *“if any person is aggrieved as to any right of which he is in possession, by an entry made in the patta pass book under this Act, he may institute a suit against any person denying or interested to deny his title to such right for a declaration of his rights under Chapter VI of the Specific Relief Act, 1963 and the entry in the patta pass book shall be amended in accordance with any such declaration.”* Therefore, in the event of any civil dispute between the parties, revenue authorities are incompetent to grant patta or to cancel patta or to mutate the revenue records. Parties are to be relegated to approach the competent Civil Court of law.

5. In the present case, parties have already instituted a suit, which is pending. Therefore, all revenue proceedings under the Patta Passbook Act are kept in abeyance, till such time civil rights between the parties are crystallised in the civil suit before the competent Court of law. Only after the suit reaches finality, any one of the parties may submit an application before the competent authority under the Patta Passbook Act either to grant patta or to cancel patta or to mutate revenue records, as the case may be.

6. With this direction, the impugned writ order in WP.No.21771 of 2016, dated 07.09.2022 is modified in terms as stated above. The Civil Court shall decide the issues independently based on the documents and evidence produced between the parties, and uninfluenced by the observations made by



the Writ Court on facts.

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7. Accordingly, the writ appeal is disposed of. No costs. Consequently, the connected Miscellaneous Petitions, if any, are closed.

(S.M.S.,J.) (K.S.,J.)
13-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GD

To

1. The District Collector
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2. The Revenue Divisional Officer
B-Block, Collectorate, Sathuvachari, Vellore-632 009.
3. The Special Tahsildar,
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**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

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