



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 3487 of 2021
AND WMP Nos. 3994 & 3995 OF 2021**

Mary Monica
W/o.Susai Manickam,
New No.17, Old NO.9,
Chidambaranar Street, Ramana Street,
Chennai 600 011

Petitioner(s)

Vs

1. The District Collector
Thiruvallur District, Thiruvallur
- 2.The Revenue Divisional officer
Revenue Division , Ponneri,
Ponneri, Thiruvallur District
- 3.The Tahsildar
Ponneri Taluk, Ponneri,
Thiruvallur District
- 4.Parimalai selvan
S/o.Perumal,
Vilangadupakkam Village,
Ponneri, Thiruvallur district

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 20.1.2021 in Na.Ka.No.2863 / 2020 / A1 issued by the 3rd respondent and to quash the same as issued without any jurisdiction and contrary to settled proposition of law further direct the respondents 1 to 3 revenue office to retain the name of the petitioner in the revenue records



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For Petitioner(s): Mr.K.Chozhan

For Respondent(s): Mr.T.K.Saravanan, AGP for R1 to 3
R4 – No appearance

ORDER

This writ petition has been filed challenging the impugned order dated 20.01.2021 passed by the 3rd respondent.

2. The learned counsel for the petitioner would submit that in this case, prior to the UDR survey, the property was in the name of one Rukmani Ammal. Subsequently, it was sold to the petitioner's vendor/Irudhayam vide sale deed dated 24.01.1990. In the meantime, UDR patta, pertaining to the subject land, was wrongly granted in the name of one Ponnusamy, who is father of 4th respondent. Without knowing the said aspect, the petitioner purchased the subject property from his vendor-Irudhayam vide sale deed dated 22.08.1991.

3. Further, he would submit that now, the petitioner, being the absolute owner of the subject property, is in possession and enjoyment of the said property from the year 1991. However, without considering the same, at the instance of 4th respondent, the 3rd respondent had canceled the patta issued in favour of the petitioner vide impugned order dated 20.01.2021.



4. He would also contend that the dispute herein is pertaining to the question of facts, which has to be dealt with by the appropriate Civil Court.

However, the 3rd respondent had inadvertently cancelled the patta, vide impugned order, without any authority or power. Hence, he requests this Court to set aside the impugned order.

5. Today, there is no representation on behalf of the 4th respondent.

6. The learned counsel for the official respondents would fairly submit that the Authority concerned for cancellation of patta is 2nd respondent, however, the 3rd respondent had inadvertently passed the impugned order for cancellation of patta without any authority. Hence, he requests this Court to pass appropriate orders.

7. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

8. In the case on hand, initially, the patta, pertaining to the subject property was in the name of petitioner's vendor, who purchased the said property in the year 1990. Subsequently, it was purchased by the petitioner in the year 1991. From the date of purchase, the petitioner is in peaceful possession and enjoyment of the subject property. Under these circumstances, in

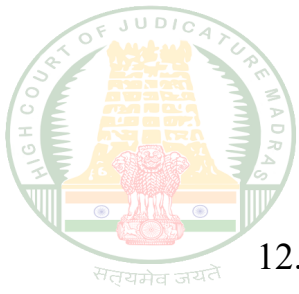


the year 2021, at the instance of 4th respondent, the patta, issued in name of the petitioner, was cancelled by the 3rd respondent vide impugned order dated 20.01.2021.

9. Admittedly, the power to cancel a patta is vested with the 2nd respondent (Revenue Divisional Officer). However, without any authority, the 3rd respondent (The Tahsildhar) had passed the impugned order for cancellation of patta. In such case, certainly, the said impugned order is liable to be set aside.

10. Further, it appears that UDR patta was issued in name of the father of 4th respondent. However, fact remains that prior to the UDR survey, the subject property was in the name of one Rukmani Ammal. Subsequently, it was sold to the petitioner's vendor/Irudhayam vide sale deed dated 24.01.1990. Thereafter, the petitioner purchased the subject property from his vendor-Irudhayam vide sale deed dated 22.08.1991. From the year 1991, the petitioner, being the pattadharar, is in peaceful possession and enjoyment of the subject property.

11. When such being the case, it is clear that there is a title dispute over the subject property. Therefore, as rightly contended by the petitioner, the said dispute has to be considered by the appropriate Civil Court. However, without any Authority of jurisdiction, the 3rd respondent had cancelled the patta vide the impugned order, which is not sustainable in law.



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12. In view of the above, this Court is inclined to set aside the impugned order passed by the 3rd respondent. Accordingly, the impugned order dated 20.01.2021 is hereby set aside. Consequently, the patta issued in the name of the petitioner stands restored.

13. In the result, this writ petition is allowed. No cost. Consequently, the connected miscellaneous petitions are also closed.

22-04-2026

nsa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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KRISHNAN RAMASAMY J.
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