



WEB COPY

WP No. 8899 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 8899 of 2026

AND

WMP NO. 9597 OF 2026

S.Kala

..Petitioner(s)

Vs

1. The District collector
Collectorate,
Kancheepuram -631501
2. The Sub collector
Collectorate,
Kancheepuram-631 501
3. The Tahsildar
Uthiramerur Taluk office
Taluk office campus
Kancheepuram District -603107
4. The Village Administrative officer
No.78, Nerkundram village
Kancheepuram District
5. Rajendhiran

..Respondent(s)

calling for the 2nd respondents impugned order dated 28.7.2025 vide Na.Ka.No. 1496/2025 /Aa2 with regard to petitioners land comprised in New survey No.178/17 and quash the same as non application of mind, violation of principles of natural justice and without jurisdiction, consequently forbearing the 1 to 4 respondents from interfering in any manner with the petitioners peaceful possession and enjoyment in the house property situated at



Nerkundram village, Uthiramerur Taluk Kancheepuram District comprised in comprised in New survey No.178/17, Old Survey No.98.

For Petitioner(s): Mr.M.Sridhar

For Respondent(s): Mr.D.Ravichander,SGP
For R1 to R4
R5- PVt

Order

This writ petition has been filed, challenging the impugned order dated 28.07.2025 passed by the second respondent, rejecting the petitioner's request for cancellation of the patta for the subject property, morefully disclosed in the prayer to this writ petition, on the ground that a civil suit in O.S. No.153 of 2025 on the file of the Sub Court, Kanchipuram is pending.

2.Mr.D.Ravichander, learned Special Government Pleader accepts notice on behalf of R1 to 4. Since no adverse order is being passed against the fifth respondent, notice to the fifth respondent is dispensed with by this Court.

3.The petitioner seeks for cancellation of the same which has been rejected under the impugned order. Admittedly, a civil suit filed by another villager, who also seeks for cancellation of the very same patta, has already



filed a civil suit in O.S. No.153 of 2025 on the file of the Sub Court, Kanchipuram. The said civil suit was filed for declaration that one A.Sathyaraj, the other villager, is the owner of the property.

4. Instead of seeking redressal of the grievance before the Civil Court, the petitioner has approached this Court challenging the impugned order. This Court does not find any infirmity in the impugned order since the second respondent has correctly observed in the impugned order that a civil suit is pending, which has been filed by another person who also seeks for the very same relief as prayed for by the petitioner, namely, cancellation of the patta standing in the name of the temple.

5. There are several disputed questions of fact involved which relate to the title of the property and therefore, the second respondent cannot adjudicate the same and only the Civil Court can adjudicate the same. Since no relief can be granted by this Court in this writ petition as the relief sought for by the petitioner can be adjudicated only by the Civil Court, this Court is not entertaining this writ petition.

6. For the foregoing reasons, this writ petition is disposed of by granting liberty to the petitioner to approach the Civil Court to prove that she is the absolute owner of the property, morefully disclosed in the prayer to this petition



and she is entitled for cancellation of the patta by making the temple as a party defendant in the said civil suit. Consequently, connected WMP is closed. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VGA



To

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ABDUL QUDDHOSE J.

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