



W.A.No.1492 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WA No.1492 of 2026
and CMP No.13813 of 2026

R.Mohana
W/o.Selvakumar,
Residing at D.No.3/148,
Thottiyar Street, A Valavandhi,
Thalaimalai Post, Namakkal District,
Tamil Nadu.

Appellant(s)

Vs

1. Muthugapatti Village Panchayat
Rep by its President, Arul Rajesh,
Erumapatty Panchayat Union,
Sendamangalam Taluk,
Namakkal District, Tamil Nadu.
2. The Collector
Namakkal District, Tamil Nadu.
3. The District Revenue Officer
Namakkal District, Tamil Nadu.
4. The Tahsildar
Sendamangalam Taluk,
Namakkal District, Tamil Nadu.

Respondent(s)



W.A.No.1492 of 2026

PRAYER: Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 21.04.2026 passed by the learned Single Judge in W.P.No.28169 of 2024.

For Appellant(s): Mr.J.Jayan

For Respondent(s): Mr.R.Veeramani
Government Pleader
for R2 to R4

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

This appeal has been preferred under Clause 15 of the Letters Patent against the order dated 21.04.2026 passed by the learned Single Judge in W.P.No.28169 of 2024. By the impugned order, the learned Single Judge directed the official respondents (Respondents 2 to 4 herein) to consider the first respondent/Panchayat's application dated 15.12.2023 and mutate the revenue records in its favour within a period of four weeks, making it explicitly clear that such mutation would remain subject to the final outcome of the pending civil suit instituted by the appellant.



W.A.No.1492 of 2026

2. The subject property involves lands situated in Survey Nos. 241/10B1A, 241/14A, and 241/14B of Muthugapatti Village, Sendamangalam Taluk, Namakkal District. The first respondent/Panchayat claims right over the property on the strength of a registered Gift Deed dated 29.04.2003 executed by the appellant's late father for the public purpose of laying a road. Seeking mutation of revenue records to establish the land as a public panchayat road, the first respondent submitted an application to the revenue authorities on 12.12.2023. The Tahsildar rejected the application on the very same day, solely relying on the objection that a civil suit in O.S.No.144 of 2023, filed by the appellant is pending before the District Munsif Court, Sendamangalam. Aggrieved by the mechanical rejection and subsequent non-consideration of their representation dated 15.12.2023, the first respondent/Panchayat filed the writ petition.

3. The learned Single Judge, after evaluating the arguments advanced by all the parties, concluded that a mere pending suit for a permanent injunction cannot act as a legal bar to revenue mutation, when a public welfare institution like the Panchayat



W.A.No.1492 of 2026

claims a right based on an registered gift deed executed by the lawful owner (the appellant's father). Recognizing that a public road serves a collective necessity, the learned Single Judge balanced equities by directing the revenue authorities to effect the mutation while expressly clarifying that such mutation shall be subject to the ultimate decree of the Civil Court.

4. Learned counsel for the appellant submits that since the Civil Court is already seized of the matter in O.S.No.144 of 2023 and O.S.No.110 of 2025 concerning title and possession, the revenue authorities have no jurisdiction to mutate records. It is further submitted that the first respondent sought revenue mutation after an inordinate delay of over 20 years from the execution of the Gift Deed in 2003. He adds that the appellant claims to be in active physical possession of the agricultural land and states that her grandfather was originally allotted the land through a partition deed in 1969. It is contended that a positive direction to mutate records will generate multiple disputes and cause serious prejudice to the appellant.



W.A.No.1492 of 2026

5. Learned Government Pleader appearing on behalf of respondent Nos.2 to 4 reiterated the reasons that weighed with the learned Single Judge and prayed for dismissal of the appeal.

6. We have heard learned counsel on either side, carefully perused the case records, the grounds of appeal, and the order under challenge.

7. The foundation of the first respondent/Panchayat's claim rests upon a registered Gift Deed dated 29.04.2003 executed by the appellant's father. The appellant has not successfully brought any binding declaration from a competent Civil Court invalidating or setting aside the said Gift Deed. The appellant cannot casually obstruct a public welfare action (laying a road) over properties gifted by her father without setting aside the registered transaction.

8. The learned Single Judge did not conclusively adjudicate the *inter se* title disputes between the parties, but explicitly guarded the interests of the appellant by holding that: "*it is made clear that the same is subject to the outcome of the pending suit filed by the*



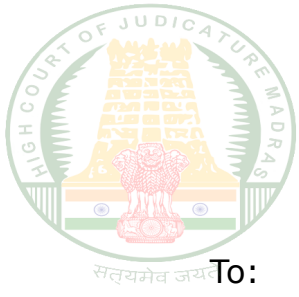
W.A.No.1492 of 2026

4th respondent." Therefore, if the appellant ultimately succeeds and obtains a declaration or decree establishing her exclusive title and possession before the Civil Court, the revenue entries will automatically yield to that civil decree. We, therefore, find no perversity, legal infirmity, or error of jurisdiction in the impugned order warranting appellate interference.

For the aforegiven reasons, the writ appeal is dismissed and the order dated 21.04.2026 passed in W.P.No.28169 of 2024 is hereby affirmed. There shall be no order as to costs. Consequently, interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
11.06.2026

Index : Yes/No
Neutral Citation : Yes/No
sasi



W.A.No.1492 of 2026

To:
WEB COPY

1. The Collector
Namakkal District, Tamil Nadu.
2. The District Revenue Officer
Namakkal District, Tamil Nadu.
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Sendamangalam Taluk,
Namakkal District, Tamil Nadu.



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W.A.No.1492 of 2026

THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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