



WEB COPY

WA No. 40 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

**THE HON'BLE MR JUSTICE R. SURESH KUMAR
&
THE HON'BLE MR.JUSTICE SHAMIM AHMED**

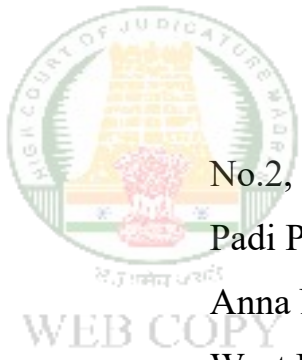
**WA No. 40 of 2026
&
CMP NO. 415 OF 2026**

C. Krishnan
S/o. Chidambaram,
No.12, Brindavan,
22nd Cross Street,
BesantNagar S.O.
Chennai - 600 090.

..Appellant(s)

Vs

1. The Revenue Divisional Officer
Kanchipuram.
2. Zonal Deputy Tahsildar
Guduvanchery.
3. The Taluk Deputy Inspector
Land Survey,
Chengalpet.
4. The Tahsildar
Chengalpet.
5. J. Gandhi
S/o. Jaganadhapillai,



No.2, 16th Street,
Padi Padu Nagar,
Anna Nagar,
West Extension,
Chennai - 600 101.

..Respondent(s)

WA No. 40 of 2026

Prayer: Writ Appeal filed under Section 15 of the Letters Patent praying to set aside the impugned order dated 25.10.2025 passed in WP No.39749 of 2025 on the file of this Honble Court.

For Appellant : Mrs. G. Uma Maheshwari
P. Thomas Barnabas
A. Jenifer

For Respondent : Mr.T.K.Saravanan
Addl. Govt. Pleader
for R1 to R4

Judgment

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This Intra Court Appeal has been directed against the order of the Writ Court dated 25.10.2025 made in W.P.No.39749 of 2025.

2. Before the Writ Court, the appellant was Writ Petitioner who



preferred a writ petition seeking a Writ of Certiorarified Mandamus to call for the impugned proceedings thereon issued by the Zonal Deputy Tahsildar dated 21.02.2011, whereby, the patta has been transferred in respect of landed property which includes property at S.No.446 at Paiyanoor Village, Golden Hamlet, Chengalpattu Taluk, Kancheepuram District.

3. The learned Writ Court instead of going in to the merits of the case, has dismissed the writ petition on the ground of laches as the said impugned proceedings dated 21.02.2011 . was questioned by the writ petitioner only in the year 2025 that is, after 14 years.

4. Aggrieved over the same, the present appeal has been directed.

5. We have heard Mrs.C. Uma Maheshwari, learned counsel for the appellant and Mr.T,K. Saravanan, learned Additional Govt. Pleader appearing for the official respondents.

6. In view of the order that is going to be passed in the Writ Appeal, no notice is required to be issued to the private respondent, ie., the 5th respondent.



7. The learned Addl. Govt. Pleader appearing for the appellant would submit that in so far as the Survey Number 446 is concerned, along with other survey numbers, detailed order has been passed by the Sub Collector, Chengleput, vide his proceedings dated 13.01.2023, which in fact, was in an appeal filed against the order passed by the Tahsildar.

8. The said appeal also was rejected by the Sub Collector on the ground that prior to the change of patta in the name of the 5th respondent -Gandhi in respect of S.No.446, it was registered in the name of so many people including the present appellant as Sub Division 446/6 to the extent of 16 ares have been registered in the name of the present appellant.

9. However, based on a Civil Court decree in O.S.No.27 of 1990, dated 12.02.1997 of the District Munsif Court, the said patta transfer had been issued in the name of the 5th respondent. It is further stated by the Sub Collector in his order that there are two suits pending, viz., O.S.No.116 of 2021 and O.S.No.58 of 2022 before the District Court at Chengalpattu. Therefore, driving the parties including the present appellant to agitate the issue by approaching the competent Civil Court, where the suits are already pending, since the Sub Collector has passed an order in the appeal on 13.01.2023 and



the same has become final and no further challenge has been made against the said order passed by the Sub Collector, dated 13.01.2023, the present Writ Petition, even on merits cannot be sustained, is the contention of the learned Addl. Government Pleader appearing for the official respondents.

10. We have gone through the said proceedings issued by the Sub Collector dated 13.01.2023, which is an order in an appeal, as against the order passed by the Tahsildar. Therefore, there has been a proceedings already been initiated by a Welfare Association called Golden Hamlet Owners Welfare Association, where the appellant is one of the member. Therefore, the interest of the appellant also has been taken care of by the Association, who fought in the case before the hierarchy of authorities in the Revenue Department, where, they ultimately suffered with an order passed by the Sub Collector, dated 13.01.2023. Therefore, if at all, as against the order passed by the Sub Collector, dated 13.01.2023, the appellant or the co-owners of the various other plots in the same survey number or the adjacent survey numbers is aggrieved, they can agitate the issue in the manner known to law. That apart, they can also approach the competent Civil Court by filing fresh Civil Suits or getting impleaded in the pending civil suits, as stated supra, pending before the District Court at Chengalpattu to redress their grievances. Hence, the present move made by the writ petitioner in challenging the proceedings issued by the



2nd respondent dated 21.02.2011 even on merits, cannot be acceded to and therefore, the plea raised by the writ petitioner before the Writ Court even if it is considered on merits cannot be accepted and the prayer cannot be granted and therefore the Writ Petition ought to have been dismissed even on merits instead of the ground of latches. Therefore, the present Writ Appeal also since is filed, ought to be dismissed on merits with the above observations and liberty to the appellant to challenge the order passed by the Sub Collector, dated 13.01.2023 in the manner known to law as well as to approach a Civil Court for getting appropriate relief either by filing a fresh civil suit or getting impleaded in the pending civil suit on his own or through Association, wherein, he is a member.

11. With this liberty and observation, the order impugned is slightly modified and the Writ Appeal is dismissed by dismissing the Writ Petition only on merits, not on the ground of latches. No costs. Consequently, the connected miscellaneous petition is closed.

[R.S.K.,J.] [S.S.A.,J.]
20-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

msr



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To

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Kanchipuram.
2. Zonal Deputy Tahsildar
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4. The Tahsildar
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