



WA(MD)No.816 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 02.06.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

WA(MD)No.816 of 2025
and
C.M.P(MD)No.5427 of 2025

Meenal

... Appellant/5th Respondent

Vs.

1.N.Devadoss

...1st Respondent/Writ Petitioner

2.The District Collector,
Sivagangai District,
Sivagangai.

3.The District Revenue Officer,
District Revenue Office,
Sivagangai.

4.The Revenue Divisional Officer,
Revenue Divisional Office,
Devakottai, Sivagangai.

5.The Tahsildar,
Karaikudi Taluk Office,
Karaikudi,
Sivagangai District.

...Respondents 2 to 5/
Respondents 1 to 4



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PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against the order made in W.P(MD)No.25518 of 2024, dated 12.03.2025.

For Appellant : Mrs.N.Krishnaveni
Senior Counsel
for Mr.P.Thiyagarajan

For R1 :Mr.R.Sundar Srinivasan

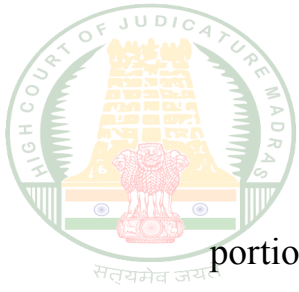
For R2 to R5 :Mr.B.Saravanan
Senior Counsel
Mr.M.P.Senthil
Counsel for State of Tamilnadu

JUDGMENT

(Judgment of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order of the learned Single Judge allowing the writ petition, wherein the proceedings of the Revenue Divisional Officer rejecting the patta were set aside, the fifth respondent in the writ petition has filed the present appeal.

2. The appellant is the fifth respondent in the writ petition. According to her, even though the earlier suit reached finality in 1970, there was a subsequent settlement within the family, and the eastern



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portion of $\frac{1}{2}$ of the property was allotted to the appellant's party.

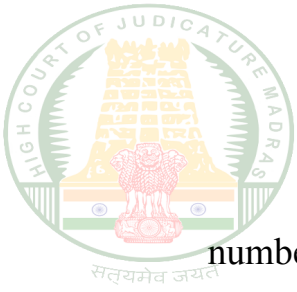
Pursuant to this settlement, they are in possession of the property.

However, the writ petitioner has sought a patta on the basis of the earlier civil suit. Since the appellant is in possession of the property and has also filed a suit in O.S.No.165 of 2024, a patta cannot be issued in the name of the writ petitioner.

3. The learned Senior Counsel appearing for the appellant contended that the civil suit is already pending, and until the rights are finally decided, mutation cannot take place. Hence, the present appeal has been filed challenging the order of the learned Single Judge.

4. We have heard the counsel appearing on either side and perused the entire materials on record.

5. The subject matter concerns Survey No.55/1, measuring 95½ cents, of Amaravathipudur Village, Karaikudi Taluk, Sivagangai District. The property was purchased by one Nachiappan Ambalam, the father of the writ petitioner, on 13.11.1951 and 28.10.1953, vide document



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numbers 2878/1951 and 276/1953. Thereafter, a suit was filed in O.S.No. 372 of 1966, which reached the second appeal in S.A.No.725 of 1970, wherein this Court confirmed the title of Nachiappan Ambalam. The writ petitioner is one of his sons and has sought a patta in respect of the 95½ cents, with the remaining land having been allotted to his brother.

6. It is relevant to note that the rights of the parties were already determined in S.A.No.725 of 1970. Merely on the basis of some unregistered agreement said to have been entered into later between the parties to the earlier suit, it cannot be said that mutation cannot take place unless the rights are determined in a subsequent suit. Therefore, we do not find any merits in the appeal.

7. We are of the view that mere mutation of revenue records will not operate as title. Title is always a matter to be determined in a civil suit. The civil suit has already ended in favor of the father of the writ petitioner in O.S.No.165 of 2024. The rights of the appellant, if any, will always be subject to the result of O.S.No.165 of 2024. Therefore, even if a mutation is effected, in the event the appellant succeeds in the suit, her



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title will be restored. Hence, we do not find any merits in the appeal.

Accordingly, the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
02.06.2026

Index : Yes / No
Neutral Citation : Ye / No
am

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