



WA(MD)No.498 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08.04.2026

CORAM

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

WA(MD)No.498 of 2026

Naganathan

... Appellant

Vs.

1. The District Revenue Officer,
District Collectorate,
Virudhunagar.

2. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3. The Thasildar,
Aruppukottai taluk Office,
Aruppukottai,
Virudhunagar District.

4. The Deputy Thasildar,
Aruppukottai Taluk Office,
Aruppukottai,
Virudhunagar District.

5. Kasthuri

... Respondents



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PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against the order made in W.P(MD)No.13414 of 2025 dated 23.02.2026.

For Appellant	: Party in person
For R1 to R4	: Mr.A.Kannan
	Additional Government Pleader

JUDGMENT

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

This Writ Appeal is directed against the order made in W.P(MD)No.13414 of 2025 dated 23.02.2026.

2. The case of the appellant who appeared in person before this Court is that originally his father purchased lands in Survey No.40/6B from one P.A.S.Shanmuga Sundaram Nadar in 1997. After the said purchase, patta was mutated in the name of the appellant's father. However, the 2nd respondent/Revenue Divisional Officer by order dated 30.08.2022 had cancelled the patta stood in the name of the appellant's father and directed to restore the patta in the name of Shanmuga Sundaram, who is the vendor of the appellant's father. As against that order, the appellant filed revision before the 1st respondent/District



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Revenue Officer. The 1st respondent by order dated 04.04.2025 rejected the revision directing the appellant to work out his remedy in the pending suit in O.S.No.212 of 2023 filed by the 5th respondent, who is claiming title to an extent of 5 cents in Survey No.40/6B based on the settlement deed executed in favour of her husband. Challenging those orders, the appellant filed writ petition and the Writ Court by impugned order dismissed the writ petition, holding that any order passed by this Court in the writ petition which arises out of patta proceedings is likely to affect the rights and contention of the parties before the civil court. As against that order, the appellant has filed this appeal.

3. The main grievance of the appellant is that though the Revenue Divisional Officer cancelled the patta in the name of the appellant's father and directed to restore the patta in the name of Shanmuga Sundaram, the 5th respondent in O.S.No.212 of 2023 has contended that Survey No.40/6B is not in existence, whereas she is claiming title to the property situated in Survey No.40/16, thereby the revenue records is sought to be erased which is the apprehension of the appellant.



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4. We find that Revenue Divisional Officer himself restored the patta into the name of the vendor of the appellant's father in respect of the land in Survey No.40/6B. Therefore, the apprehension of the appellant that the said survey number is sought to be erased has no legs to stand. Mere inclusion or mutation of the revenue records will not decide the rights of the parties. The appellant's father is said to have purchased property in Survey No.40/6B, whereas, the 5th respondent is also claiming right in the very same survey number and filed the abovesaid suit. Thus, it would be appropriate for the parties to lead evidence in the said suit and establish their title in the pending suit. When there is a title dispute, sitting under Article 226 of the Constitution this Court cannot decide the same. The Writ Court has rightly dismissed the writ petition. We do not find any infirmity to interfere with the same.

5. Accordingly, the Writ Appeal is dismissed. No costs.

[N.S.K., J.] & [M.J.R., J.]
08.04.2026

Index : Yes / No
Neutral Citation : Ye / No



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