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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.06.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.13876 of 2021

and

W.M.P.(MD)Nos.10834 & 10836 of 2026

1.K.Muthukaruppan

2.P.Kalimuthu

... Petitioners

Vs.

1.The District Collector,
Sivagangai, Sivagangai District.

2.The District Revenue Officer,
O/o.The District Revenue Officer,
Collectorate, Sivagangai,
Sivagangai District.

3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

4.The Tahsildar,
Devakottai Taluk,
Devakottai,
Sivagangai District.



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5.The Sub Registrar,
O/o.The Sub Registrar,
Devakottai, Sivagangai District.

6.The Superintendent of Police,
O/o.The Superintendent of Police,
Sivagangai,
Sivagangai District.

7.The Inspector of Police,
Devakottai Taluk Police Station,
Devakottai,
Sivagangai District.

8.K.Bose

9.S.Kamatchi

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, to declare the patta issued by the respondent No.4 in favour of 8th and 9th respondents in Old Survey No. 481/6, out of an extent of 2 acres 60 cents and in New Survey No. 481/6A, 481/6B, 481/6C1, and 481/6C3 an extent of 0.2.00, 0.2.00, 0.21.30, and 0.27.50 Hectares respectively in Markandanpatti Kanmoi in Markandanpatti, Thirumanavayal Village group, Devakottai Taluk, Sivagangai District as illegal and consequently directing the Respondent Nos.1 to 5 to classify the same as Kanmoi to preserve the Markandanpatti Kanmoi in its original position within the time frame fixed by this Court.

For Petitioner : Mr.T.Lajapathi Roy
for M/s.Roy and Roy Associates
For Respondents : Mr.G.Prabhu Rajadurai (R8)
Mr.K.Sathish Kumar (R9)



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Mr.I.Murugesan (R6 & R7)
Government Advocate
Mr.B.Saravanan (R1 to R5)
Senior Counsel
for Mr.M.P.Senthil
Counsel for the State

ORDER

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

This writ petition has been filed for the alleged to declare the patta issued by the fourth respondent in favour of 8th and 9th respondents in Old Survey No.481/6, out of an extent of 2 acres 60 cents and in New Survey No.481/6A, 481/6B, 481/6C1, and 481/6C3 an extent of 0.2.00, 0.2.00, 0.21.30, and 0.27.50 hectares, respectively in Markandanpatti Kanmoi in Markandanpatti, Thirumanavayal Village group, Devakottai Taluk, Sivagangai District as illegal and consequently, direct the Respondent Nos.1 to 5 to classify the same as Kanmoi to preserve the Markandanpatti Kanmoi in its original position.

2.The contention of the writ petitioner is that the subject properties are classified as "Oorani" in the revenue records. However, under the influence of the persons working in the office of the Revenue



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Divisional Officer, patta came to be transferred in favour of private individuals. Therefore, the petitioner filed his writ petition seeking to declare the patta as illegal.

3. During the last hearing, this Court directed the District Revenue Officer to conduct an enquiry and file a report.

4. Today, a report has been filed by the third respondent, wherein it has been stated that survey No.480, as per 'A Register' is classified as Oorani and there was no such reference about Survey No.481/6 in the 'A Register'. It is also reported that several sections of the properties are also acquired for national highways. However, in his report, it is indicated that in UDR sketch, Survey No.481/6C is shown as Oorani, whereas in 'A Register', it is shown as private property/nilaviyal pathai.

5. The property still remains as vacant land. The sketch annexed to the report shows that only two portions are shown as Oorani, whereas the larger extent of the area, which is coloured as yellow, is shown as the properties, that were already acquired for national highway.



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This report, prima facie, indicates that survey No.481 is not classified as "Oorani" in the revenue records..

6.The learned Counsel for the State would submit that, if the parties appear before the District Revenue Officer/second respondent and produce all relevant documents in support of their respective claims, a detailed enquiry can be conducted and appropriate orders passed.

7.In such view of the matter, this Court without going into the merits of the matter, directs both the parties to appear before the second respondent along with the relevant documents on the date and time to be fixed by the second respondent, within a period of one week from the date of receipt of a copy of this order. Upon such appearance, the second respondent shall consider the documents produced by the parties, hear their respective submissions, take into account the findings contained in the report of the Revenue Divisional Officer dated 02.06.2026, and thereafter pass appropriate orders in accordance with law. If there are any other interested persons residing in Survey No.480, notice shall also be issued to them by the second respondent before passing any final order. It is made clear that once the revenue authorities/second



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respondent concludes that the subject property is only a patta land, the petitioner cannot have any right to challenge the said proceedings.

8. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
03.06.2026

Index : Yes/No
Internet : Yes
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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