

W.A.(MD)No.2361 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.02.2026

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.A.(MD)No.2361 of 2025
and
W.M.P.(MD)No.13295 of 2025

Susila

... Appellant

Vs.

1.V.R.Somasundaram @ Sundaram

2.The District Revenue Officer,
Madurai District, Madurai.

3.The Revenue Divisional Officer,
Madurai District, Madurai.

4.The Tahsildar,
Madurai South,
Madurai District,
Madurai.

5.R.M.A.Alagappan,

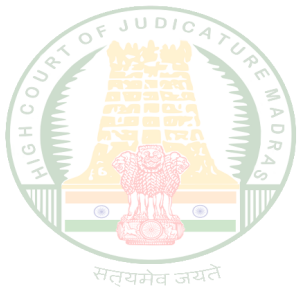
6.Meenambal

7.E.Ramalingam

8.E.Ramanathan

... Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the impugned order passed in W.P.(MD)No.14923 of 2016 dated 18.09.2024 and allow the writ appeal.



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For Appellants : Mr.R.Aravindan
For Respondent : Mr.K.Palmurugan (R1)
Mr.S.P.Maharajan (R2 to R4)
Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by **DR.G.JAYACHANDRAN, J.**)

The dispute regarding 50 cents of land, which is part of a larger extent of property measuring 2 acres 18 cents in Survey No.35/2A1 at Melakuyilkudi Village, Nagamalai Pudukottai, Madurai District is the subject matter of the writ filed by one Somasundaram @ Sundaram. Since the claim seeking patta was negatived by the revenue officials, the appellant/writ petitioner filed writ petition seeking certiorarified mandamus to quash the order passed by the District Revenue Officer in the revision petition and consequently to direct the respondent to issue patta in favour of the writ petitioner.

2.The learned Single Judge considering the relief sought and relying upon the order passed in S.A.No.1703 of 1990 on the file of the High Court, Madras, which was disposed as settled out of Court vide order dated 29.06.1998, had allowed the writ petition with a direction to

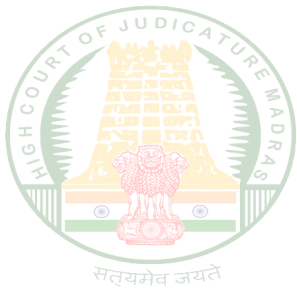


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the respondent to issue patta in respect of 50 cents alleged to have been purchased by the writ petitioner Somasundaram @ Sundaram. Aggrieved by the said order, the appellant, who is the fifth respondent in the writ petition, has filed the present writ appeal.

3.The case of the appellant/fifth respondent is that the writ petitioner has no valid title over the disputed property. The suit in O.S.No.208 of 1983 on the file of the Principal Sub Court, Madurai filed by the father of the appellant was allowed declaring the sale deed dated 01.12.1980 executed in favour of Annamalai Chettiar, who is the father of the writ petitioner's vendor, as null and void. The appeal suit in A.S.No.84 of 1986 filed challenging the said decree and judgment, was also dismissed on 30.11.1988 confirming the judgment of the trial Court. The second appeal filed in S.A.No.1703 of 1990 on the file of the High Court of Madras was also dismissed as withdrawn. Hence, the alleged compromise pending second appeal is incorrect. Thus, the findings of the trial Court confirmed by the First Appellate Court stand final. Therefore, the writ petitioner cannot have any right to seek patta for the 50 cents of land based on the document, which has been declared as void by the competent civil Court.



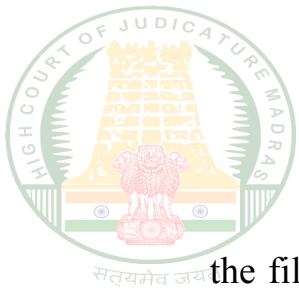
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4.The learned counsel appearing for the first respondent/writ petitioner would submit that based on the sale deed dated 04.06.1985, the writ petitioner purchased the property from Annamalai Chettiar and in fact, patta issued was later cancelled pursuant to the decree passed by the trial Court in O.S.No.208 of 1983. Since the suit was ultimately ended in compromise, cancellation of patta was challenged in the writ petition and the writ petitioner has rightly succeeded. If at all the appellant herein has any right over the subject property, he should have agitated it before the appropriate forum.

5.Heard the learned counsel appearing on either side and perused the materials.

6.This Court on perusal of the record finds that S.A.No.1703 of 1990 was dismissed as settled out of Court on 01.07.1998. We do not find any indication that terms of settlement forms part of the decree. In any event, it is now stated across the bar by the learned counsel for the appellant that a comprehensive suit had been filed for declaration and injunction in respect of the disputed property in O.S.No.212 of 2025 on



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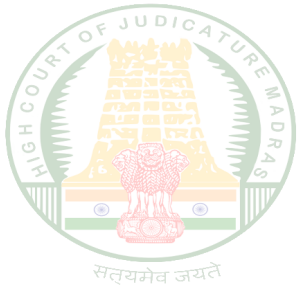
the file of the Additional District Munsif Court, Thirumangalam and the same is pending.

7.In such circumstances, it is suffice to state that any order passed in the writ petition or in the writ appeal regarding merits of the title claimed by the respective parties, shall have no bearing on the trial Court while deciding the dispute. Grant of patta will not confer any title. Therefore, we relegate the parties to workout their remedy before the civil Court, where the title dispute is now pending.

8.With this observation, this writ petition is disposed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
03.02.2026

Index :Yes/No
Internet :Yes
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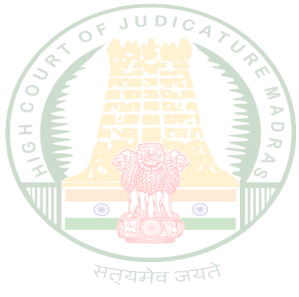


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