



W.P(MD)No.22619 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2026

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition(MD)No.22619 of 2026

and

W.M.P(MD)Nos.16872 & 16873 of 2026

Sakthi Periya Kumaran

..Petitioner

Vs

1.The Revisional Authority/
District Revenue Officer,
Tirunelveli District,
Tirunelveli.

2.The Sub Collector,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsidar,
Radhapuram Taluk,
Radhapuram,
Tirunelveli District.

4.Joseph Kamilus

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the impugned order dated 02.07.2026 under reference Ni.Mu.K3/Se.Ma.No.28/2025(7413/2024) as passed by the 1st Respondent and quash the same as illegal, erroneous and arbitrary



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and consequently direct the 1st Respondent to restore the original patta in favour of the Petitioner bearing Patta Nos.3592 and 3594 in relation to his properties bearing Survey Nos.420/B, 428/1 and 428/3 measuring to an extent of 2.17.00, 0.45.50 and 0.28.0 hectares respectively situated at Vijayapathi Village, Radhapuram Taluk, Tirunelveli District, forthwith.

For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mrs.Porkodi Karnan
Spl. Govt. Pleader for RR1 to 3

ORDER

The writ petition is filed challenging the order passed by the first respondent, setting aside the order of the second respondent issuing patta in the name of the petitioner.

2.The fourth respondent claims rights over the subject property. According to him, his parents, Xavier Parnanthu and Muskareeth Mariammal, wife of Xavier Parnanthu, obtained the subject property under a settlement deed of the year 1959. The revenue records were also mutated in favour of the parents of the fourth respondent. The petitioner claims to have purchased the subject property from one Santhiyagu Rayappan in the year 2019. The petitioner is not in a position to state as to how the said Santhiyagu Rayappan acquired



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rights over the property. The first respondent, taking into consideration the Encumbrance Certificate relating to the property for the period from 01.01.1912 to 30.08.2022, came to the conclusion that the settlement deed in favour of the parents of the fourth respondent is anterior in point of time. In the light of the said position, the petitioner appears to have purchased the property from a person who had no right over the subject property.

3. When the petitioner is not able to establish even a prima facie title of his vendor, this Court is unable to interfere with the impugned order passed by the first respondent. The first respondent, in the impugned order, after setting aside the patta transfer order in favour of the petitioner, directed the parties to approach the Civil Court to establish their respective rights, if any, over the subject property. I do not find any error in the impugned order. Therefore, this writ petition stands dismissed. It is open to the parties to establish their respective rights before the Civil Court. No costs. Consequently, the connected miscellaneous petitions are closed.

11.08.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes
skn



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S.SOUNTHAR, J.

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