



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2020

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**THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE**

W.P(MD).No.14832 of 2020  
and W.M.P. (MD).No.12496 of 2020

Sharmila

.. Petitioner

Vs.

1.The District Collector,  
Trichy District,  
Trichy.

2.The District Revenue Divisional Officer,  
Trichy District,  
Trichy.

3.The Tahsildar,  
Manaparai Taluk,  
Trichy District.

4.The Sub Registrar,  
Registration Department,  
Manaparai,  
Trichy District.

5.Marammal @ Chellammal

6.Jothi

7.K.Palanichamy

.. Respondents

**PRAYER:** Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to pass orders on the petitioner's representation dated 21.09.2020, submitted for restoration of the patta in the name of the petitioner's mother Pushpa, subsequently changed in the name of the 5<sup>th</sup> respondent, behind back of the petitioner, without holding any enquiry in the manner known to law pending the civil dispute and also for the stalling of any registration made before the 4<sup>th</sup> respondent within a time frame as fixed by this Court.



For Petitioner : Mr.B.Balamuralikrishnan  
For Respondents : Mr.K.P.Krishnadass for R1 to R3  
Special Government Pleader  
Mr.K.Sathiya Singh for R4

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**ORDER**

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pass orders on the petitioner's representation dated 21.09.2020 submitted for restoration of patta in the name of the petitioner's mother Pushpa.

2.Heard Mr.B.Balamuralikrishnan, learned counsel for the petitioner. Mr.K.P.Krishnadass, learned Special Government Pleader, accepts notice on behalf of the respondents 1 to 3 and Mr.K.Sathiya Singh, learned counsel accepts notice on behalf of the fourth respondent.

3.By consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

4.It is the case of the petitioner that originally the patta for the properties comprised in S.Nos.216/1 measuring about 1.11.5 hectares, 216/2 measuring about 0.04.5 hectares, 217/2 measuring about 0.22.0 hectares, 541/1 measuring about 0.08.0 hectares, 354/1A measuring about 0.12.0 hectares, 354/1B measuring about 0.49.0 hectares, 354/1C measuring about 0.01.0 hectares, 164/1 measuring about 0.90.0 hectares, 150/3 measuring about 0.10.5 hectares, 150/4 measuring about 0.15.0 hectares and 150/5 measuring about 0.32.5 hectares, situated at Vaiyampatti Village, Manapparari Taluk, Trichy District, stood in the name of the petitioner's mother Pushpa, who has since died. According to the petitioner, the sixth respondent who is the second wife of the petitioner's father has clandestinely mutated the revenue records with the help of the third respondent and got the patta transferred in the name of the fifth respondent, which was already standing in the name of the petitioner's mother, behind the back of the petitioner, by suppressing all the material facts to usurp the petitioner's share in the said property. According to the petitioner, a civil suit in O.S.No.662 of 2018, on the file of the Sub Court, Manaparai, has also been instituted by the petitioner for partition in respect of the aforementioned properties. Aggrieved by the transfer of patta in the name of the fifth respondent, the petitioner gave a representation before the second respondent on 21.09.2020, requesting for restoration of patta in the name of the petitioner's mother Pushpa.



5. In this writ petition, the petitioner seeks for a direction to the respondents to pass orders on the petitioner's representation dated 21.09.2020, seeking for restoration of patta in the name of the petitioner's mother Pushpa, within a time frame to be fixed by this Court.

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6. The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to the respondents, if the relief sought for in this writ petition is granted by this Court. The petitioner only seeks for expeditious disposal of her representation dated 21.09.2020, requesting for restoration of the patta in the name of her mother Pushpa. It is for the respondents 1 to 3 to consider the said representation on merits and in accordance with law.

7. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 21.09.2020, seeking for the restoration of the patta in the name of the petitioner's mother Pushpa for the properties comprised in S.Nos.216/1 measuring about 1.11.5 hectares, 216/2 measuring about 0.04.5 hectares, 217/2 measuring about 0.22.0 hectares, 541/1 measuring about 0.08.0 hectares, 354/1A measuring about 0.12.0 hectares, 354/1B measuring about 0.49.0 hectares, 354/1C measuring about 0.01.0 hectares, 164/1 measuring about 0.90.0 hectares, 150/3 measuring about 0.10.5 hectares, 150/4 measuring about 0.15.0 hectares and 150/5 measuring about 0.32.5 hectares, situated at Vaiyampatti Village, Manapparari Taluk, Trichy District and pass final orders on merits and in accordance with law, after hearing all the necessary parties including the respondents 5 to 7, within a period of six months from the date of receipt of a copy of this order.

8. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM



*Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

1. The Subordinate Judge,  
Manaparai, Trichy.
2. The District Collector,  
Trichy District,  
Trichy.
3. The District Revenue Divisional Officer,  
Trichy District, Trichy.
4. The Tahsildar,  
Manaparai Taluk,  
Trichy District.
5. The Sub Registrar,  
Registration Department,  
Manaparai, Trichy District.

+1 CC to M/s.GP ( SR-20780[F] dated 02/11/2020 )

**W.P (MD) .No.14832 of 2020  
29.10.2020**

BK (CO)  
TR(09.11.2020) 4P 7C