



W.P.(MD).No.25985 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.25985 of 2022

Muthumani @ Solaiyammal

... Petitioner

VS.

- 1.The District Registrar,
Office of the District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Officer,
Office of District Revenue Officer,
Ramantahapuram District,
Ramanathapuram.
- 3.The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Paramakudi,
Ramanathapuram.
- 4.The Tahsildar,
Office of Tahsildar,
Kamuthi Taluk,
Kamuthi,
Ramanathapuram District.

5.Solaiappan

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the 1st respondent to direct the 4th respondent to grant patta for the properties in Survey Nos.221/3, 247/17, 167/3, 106/2, 138/14, 138/8, 30/10, 92/7B, 158/5A, 96/2 and 103/18B in Thalaivanaickanpatti Village, Nedunkulam Group, Kamuthi Taluk, Ramanathapuram District, as per the decree in Cross Appeal in A.S.No. 111 of 2017 dated 31.10.2019, by considering the petitioner's representation dated 13.10.2022.

For Petitioner : Mr.A.Haja Mohideen

For R1 to R4 : Mr.D.Sadiq Raja

Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to direct the 4th respondent to grant patta for the properties in Survey Nos.221/3, 247/17, 167/3, 106/2, 138/14, 138/8, 30/10, 92/7B, 158/5A, 96/2 and 103/18B in Thalaivanaickanpatti Village, Nedunkulam Group, Kamuthi Taluk, Ramanathapuram District, as per the decree in Cross Appeal in A.S.No. 111 of 2017 dated 31.10.2019, by considering the petitioner's representation dated 13.10.2022.



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2. The case of the petitioner is that she is the owner of the properties in Survey Nos.221/3, 247/17, 167/3, 106/2, 138/14, 138/8, 30/10, 92/7B, 158/5A, 96/2 and 103/18B situated at Thalaivanaickanpatti Village, Nedunkulam Group, Kamuthi Taluk, Ramanathapuram District. She has made a representation to the respondents 1 to 4 on 16.09.2022, seeking patta for the said property. Since there is no action taken by the official respondents, the present writ petition has been filed.

3. Heard Mr.A.Haja Mohideen, learned counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the respondents 1 to 4.

4. This Court cannot issue a Writ of Mandamus as in the Cross Appeal No.111 of 2017, only for certain items declaration has been granted and rest of the items it was declined and the second appeal filed by the fifth respondent is pending. When there is a lis pending, the authorities cannot decide the title and issue a Patta by changing the



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original pattadars. Hence, this Writ Petition is dismissed and the petitioner can approach the authorities after the second appeal is disposed of. No costs.

17.11.2022

Index: Yes/No
Internet: Yes/No
akv

To

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Ramanathapuram District,
Ramanathapuram.
2. The District Revenue Officer,
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Ramanathapuram District,
Ramanathapuram.
3. The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Paramakudi,
Ramanathapuram.
4. The Tahsildar,
Office of Tahsildar,
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