



W.P(MD)No.2776 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2776 of 2022
and
W.M.P(MD)Nos.2454 & 2457 of 2022

A.Thalaiselvi

... Petitioner

Vs.

1.The District Revenue Officer cum
Additional District Magistrate,
Madurai.

2.The Tahsildar,
Tirumangalam Taluk,
Madurai District.

3.The Inspector of Police,
Sindupatti Police Station,
Madurai District.

4.Devaraj Anbu

... 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 entire records pertaining to the impugned order passed by the first



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respondent in Ni.Mu.No.46419/2021/G5 dated 08.12.2021 and quash the same and consequently direct the respondents 1 and 2 to order resumption of the petitioner's name in the patta in connection with the property in Survey Nos.76/1B and 76/1D, Alagusirai Village, Tirumangalam Taluk, Madurai District.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 & R.2

Mr.A.Albert James
Government Advocate for R.3

ORDER

Heard both sides.

2. The petitioner purchased certain items of property vide sale deed dated 16.03.2015 vide Document No.388 of 2015 on the file of the Sub Registrar, Checkanurani. Based on the said sale deed, the petitioner moved the Tahsildar and obtained patta (Patta No.625) in her favour. The patta covered Survey Nos.76/1B, 76/1D, 77/10, 77/1A, 77/4 and 77/6 Alagusirai Village, Thirumangalam Taluk. Aggrieved by the same,



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the fourth respondent filed revision before the District Revenue Officer, Madurai. The District Revenue Officer vide order dated 08.12.2021 restored the position that prevailed prior to UDR. Challenging the same, the present writ petition came to be filed.

3. As already noted, it was only the fourth respondent who moved the District Revenue Officer and not any other person. The issue between the petitioner and the fourth respondent has been resolved during the pendency of the impugned proceedings. The terms of the agreement are as follows:

“(iii) By virtue of the said settlement, the aforesaid writ petition, on filing of this affidavit and upon a request being made in this regard, would be withdrawn by me in the presence of the other side. Consequent to that, the suit that has been filed before the learned District Munsif, Thirumangalam in O.S.No.301 of 2021 also would be withdrawn.

(iv) It is made clear that for obtaining patta in respect of 66 cents available in Survey No.76/1D, while moving an application by me, Devaraj Anbu / Lieutenant General should not object instead, if necessary, has to give his



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consent in writing for enabling the authority's concerned to pass orders in my favor with regard to the mutation.

(v) In a similar way, while Devaraj Anbu / Lieutenant General seeking for the patta to be in his name of the properties comprised in Survey No.76/1A, 76/1B and 76/1C of the said village, I will say no objection even in writing whenever the necessity arises and I would also extent my cooperation to ensure that the patta in respect of the said property stand in the name of Devaraj Anbu / Lieutenant General.”

The impugned order is set aside and this writ petition is disposed of by recording the compromise entered into between the parties. I make it clear that the outcome of this writ petition will not have any bearing on the rights of parties who are not before this Court. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

06.10.2023

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

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G.R.SWAMINATHAN, J.

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