



W.P(MD)Nos.5993 & 6080 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)Nos.5993 & 6080 of 2023

and

W.M.P(MD) Nos.5609, 5610, 5745 & 5746 of 2023

R.Ramani ... Petitioner in W.P(MD)No.5993 of 2023

R.Ganesan ... Petitioner in W.P(MD)No.6080 of 2023

Vs.

1.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Paramakudi Revenue Division,
Ramanathapuram District.

2.The Thasildar
Mudukulathur Taluk,
Ramanathapuram District.

... Respondents in both petitions

COMMON PRAYER : Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to calling for the records pertaining to the order issued by the second



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respondent in his proceedings in 2023/0103/27/150086 and 2023/0103/27/150087 dated 06.03.2023 and quash the same as illegal and unconstitutional and directing the second respondent to issue patta in favour of the petitioners in respect of their properties comprised in Survey Nos.84/2C2 and 79/2D1 of an extent of 0.70.0 and 0.95.0 ares situated at Mela Mudukulathur Village Group, Mudukulathur Taluk, Ramanathapuram District, respectively.

In both writ petitions

For Petitioners : Mr.C.Gangai Amaran

For Respondents : Mr.N.Muthu Vijayan

Special Government Pleader

COMMON ORDER

By consent of both parties, both writ petitions are taken up for final disposal at the stage of admission itself.

2. A mother and her son are the writ petitioners herein. They filed two separate writ petitions questioning the order of the Tahsildar, Mudukulathur Taluk, Ramanathapuram, both dated 06.03.2023 in



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Na.Ka.Nos.2023/0103/27/150086 and 2023/0103/27/150087, respectively. By the said order, the Tahsildar had rejected patta sought by the petitioners herein on the ground that the legal heirs of the vendor have to be verified and for that reason the legal heirship certificate should be produced by the petitioners.

3. The petitioners are purchasers of the property. They had already paid consideration. On payment of consideration, sale deeds had been executed. If there is any issue or any unpaid vendors, they would have independently taken action against the petitioners herein. But no such reason had been stated by the learned counsel for the petitioners.

4. The petitioners can only give the addresses of the vendors and the Tahsildar can also make necessary enquiries by issuing notice to verify the genuinity of the sale deeds. The order questioned is therefore, set aside and the matter is remitted back to the Tahsildar, Mudukulathur Taluk, Ramanathapuram District. The said Tahsildar is directed to re-enquire into the whole issue.



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5. The petitioners are directed to give the address of their vendors / legal heirs of the vendors and notices may be issued by the Tahsildar and he may make necessary verification as is required by him and thereafter, come to a subjective satisfaction whether, otherwise the petitioners are eligible, and then proceed to grant patta as sought by them. Such exercise should be completed by the Tahsildar within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. The writ petitions stand allowed. The impugned orders under questioned are set aside. No costs. Consequently, connected miscellaneous petitions are closed.

20.03.2023

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

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C.V.KARTHIKEYAN, J.

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