



W.P(MD)No.9800 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.9800 of 2023

Subramaniyan

... Petitioner

Vs.

The Tahsildhar
Thiruvengadam Taluk,
Tenkasi District 627 719.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to issue separate patta vide in punja land in survey No.986/3B1A of Pazhakottai Revenue Village, Thiruvengadam Taluk, Tenkasi District based on considering the petitioner's patta Transfer Application dated 03.01.2023 vide in No.2023/0105/34/231114.



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For Petitioner : Mr.V.Muthuvelan

For Respondent : Mr.J.Ashok

Additional Government Pleader

ORDER

The writ petition has been filed in the nature of a Mandamus seeking separate patta for punja land in Survey No.986/3B1A, Pazhakottai Revenue Village, Thiruvengadam Taluk, Tenkasi District. The petitioner had given a patta transfer application on 03.01.2023 in application No.2023/0105/34/231114.

2. The petitioner and others had filed O.S.No.357 of 2005 before the Principal District Munsif Court, Sankarankovil, against Chelladurai, Kaleeswari @ Kaliammal and Murugeswari for declaration of title and delivery of possession. The suit was decreed by judgment dated 31.10.2006. The defendants filed A.S.No.15 of 2007 before the Subordinate Court, Sankarankovil. By judgment dated 22.10.2008 the said first appeal was dismissed. Thereafter, the defendants filed S.A. No.447 of 2010 before this Court and by judgment dated 27.10.2017, the



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said Second Appeal was dismissed. It only indicates that the petitioner original relief for declaration of title had been upheld by three successive Courts.

3. A direction is given to the respondent, to examine that particular judgment and act in accordance with the decree in S.A.No.447 of 2010 dated 27.10.2017. He may issue notice to the appellants in the said second appeal, but he is bound by the judgment and decree in S.A.No.447 of 2010 and must act accordingly. A direction is given that he should act accordingly, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above directions, the Writ Petition stands allowed. No costs.

25.04.2023

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

RM

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C.V.KARTHIKEYAN, J.

RM

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