



W.P.(MD) No.11857 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2023

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THE HONOURABLE Ms.JUSTICE P.T.ASHA

**W.P.(MD) No.11857 of 2020
and
W.M.P.(MD) No.10262 of 2020**

M.Kokila

... Petitioner

/vs./

**1.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.**

2.K.Poongothai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 1st Respondent in connection with the impugned order of rejection passed by him vide his File No.2020/0103/26/093071 dated 07.09.2020 and quash the same as illegal and arbitrary and consequently direct the 1st respondent to issue patta in favour of petitioner for the Dry Manavari Land measuring to an extent of 21 Acres 33 cents comprised in Survey Nos. 1/2, 1/4, 1/5, 1/6, 2/1, 4/1, 4/3, 8/1, 8/2,



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8/4, 8/5, 8/6 and 8/7 of Solaicherry Village, Sethur Panchayat, Rajapalayam Taluk, Virudhunagar District pursuant to the sale deed in Document No. 1570/2020 dated 30.06.2020 on the file of Sub Registrar, Sethur within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For R1 : Mr.D.Ghandiraj
Special Government Pleader

For R2 : Mr.C.Jeya Indra Patel

ORDER

The above writ petition is filed for the issue of a Writ of Certiorarified Mandamus calling for the records of the first respondent in connection with the impugned order of rejection vide his File No.2020/0103/26/093071 dated 07.09.2020, quashing the same as illegal and arbitrary and directing the first respondent to issue patta in favour of petitioner for the land in S.Nos.1/2, 1/4, 1/5, 1/6, 2/1, 4/1, 4/3, 8/1, 8/2, 8/4, 8/5, 8/6 and 8/7 at Solaicherry Village, Sethur Panchayat, Rajapalayam Taluk, Virudhunagar District.

2.The petitioner has made a claim for mutation of revenue records on the basis of a registered sale deed dated 30.06.2020 said to have been executed by the



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second respondent after receiving a valid sale consideration of Rs.17,18,365/-. The petitioner had submitted an application for mutating the revenue records in her name, which has been rejected by the first respondent, since objections have been made by the original pattadhar. The petitioner has questioned the rejection on the ground that she has purchased the property under a registered sale deed.

3.A counter has been filed by the second respondent *interalia* contending that the sale deed said to have been executed by her in favour of the petitioner has been obtained fraudulently. The demand draft which was issued towards the sale consideration is a fake demand draft and a criminal complaint has also been lodged against the petitioner. That apart, the second respondent is also initiating steps to file a suit to declare the sale deed as null and void.

4.Therefore, in the light of there being serious objections as regards the title of the petitioner and as allegation of fraud has been made out, I see no reason to interfere with the impugned order. Consequently, the Writ Petition is dismissed. It is needless to state that the parties can workout their remedies before the civil



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Court and thereafter approach the revenue officials. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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

20.06.2023

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To

The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.



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P.T.ASHA, J.

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