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W.P.(MD)NO.14545 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14545 of 2022

J.Thangamani

... Petitioner

Vs.

The Tahsildar,
Palani Taluk Office,
Dindigul District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent proceeding of Na.Ka.No.3984/2021/A2 dated on 12.04.2022 and to quash the same and further direct the respondent to conduct enquiry on the basis of the registered document and to issue patta in favour of the petitioner regarding the property in SR.No. 564/1B2, Andipatti Village, Palani Taluk, Dindigul District, enabling petitioner to get electricity service connection for the agriculture purpose

For Petitioner : Mr.A.Senthil Kumar

For Respondent : Mr.G.Suriyananth,
Additional Government Pleader.

* * *

**ORDER**

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Heard the learned counsel on either side.

2. The writ petitioner had purchased the petition mentioned land vide sale deed dated 10.12.2020 (document No.3628 of 2020) on the file of the Sub Registrar, Palani. The petitioner wanted her name to be included in the revenue record. The petitioner's request was rejected by citing the pendency of O.S.No.11 of 2017 on the file of the Principal District Court, Dindigul. Challenging the impugned memo dated 12.04.2022 issued by the Tahsildar, Palani, this writ petition has been filed.

3. The petitioner's counsel placed on record the patta standing in the name of the writ petitioner's vendor, namely, Vanithamani. When Vanithamani is very much figuring in the revenue record and when the petitioner had only purchased the property from the said Vanithamani, the petitioner will automatically step into her shoes. It is true that the civil suit is pending involving the subject property. The rights of the petitioner would obviously abide by the outcome of the said



suit. Pendency of the suit cannot be a ground for rejecting the petitioner's request for including her name in the place of her vendor.

4. In this view of the matter, the order impugned in this writ petition is quashed. This writ petition stands allowed. The respondent is directed to substitute the name of the writ petitioner in the place of her vendor Vanithamani in patta No.2237. This shall be done as expeditiously as possible. No costs.

19.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

The Tahsildar,
Palani Taluk Office,
Dindigul District.



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G.R.SWAMINATHAN,J.

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