



WP.No.9986 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.9986 of 2024

Visagalakshmi

.. Petitioner

Versus

1.The Tahsildar cum Specified Officer
Taluk Office, Thirunallar
Karaikal District
Union Territory of Puducherry

2. Duraisingam

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed in No.614/TLK/TNR/Sett./2023-24 dated 02.02.2024 by the 1st respondent, quash the same and consequently direct the 1st respondent to either to revoke the patta which is transferred in the name of one Duraisingam S/o.Subramania Pillai and to reinstate the original patta in the name of petitioner's name as joint pattadar in respect of wet land bearing R.S.No.26/3 situated in No.21-Thirunalar Revenue Village, Karaikal.

For Petitioner : Mr.T.Wilson Easter Raj

For Respondents : Mr.A.Tamilvanan for R1
Additional Government Pleader (Pondy)



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ORDER

This writ petition is filed challenging the order passed by the first respondent in No.614/TLK/TNR/Sett./2023-24 dated 02.02.2024.

2. It is the case of the petitioner that originally land belonged to her mother, after her death, only the petitioner and her brother are the legal heirs. However, only her brother's name is included in the patta, which is put into challenge in this writ petition.

3. By consent of both parties, this writ petition is taken up for disposal at the admission stage itself.

4. Heard both sides and perused the materials placed on record.

5. On perusal of the impugned order, it makes it clear that the subject property in this writ petition is the subject matter of the will bearing No.5/1981, wherein, his brother was a legatee. The suit filed by the petitioner is already dismissed and now appeal alone is pending before this Court. Such view of the matter, this Court is of the view any decision will be subject to the result of the suit and rights determined by the Civil Court. Therefore, mere rejection of the petitioner claim to revoke or include her name in the patta will



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not take away her right to apply for patta in the event the petitioner, succeeds
in the Civil Court.

6. Accordingly, this writ petition stands dismissed. No costs.

12.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To

The Tahsildar cum Specified Officer
Taluk Office, Thirunallar
Karaikal District
Union Territory of Puducherry

N. SATHISH KUMAR, J.



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