



W.P(MD)No.227 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.227 of 2024

R.Pavunthai

... Petitioner

-Vs-

1.The Tahsildar,
Nilakkottai Taluk,
Dindigul District.

2.The Village Administrative Officer,
Virusvedu Village,
Nilakottai Taluk,
Dindigul District.

3.The Village Administrative Officer,
Chekkapatti Village,
Nilakottai Taluk,
Dindigul District.

4.Dhanushkodi

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Na.Ka.No.5963/2023/A4 dated 01.12.2023 on the file of the first respondent and quash the same as illegal and consequently seeking a direction to the first respondent to restore



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the patta in the name of one Rajuambalam, who is the father of the petitioner.

For Petitioner : Ms.B.Bhuvaneshwari
For Respondents : Mr.D.Gandhi Raj
Spl. Govt. Pleader (for R1 to R3)

ORDER

The writ petition is filed seeking for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Na.Ka.No.5963/2023/A4 dated 01.12.2023 on the file of the first respondent and quash the same as illegal and consequently seeking a direction to the first respondent to restore the patta in the name of the petitioner father Rajuambalam.

2. Mr.D.Gandhi Raj, learned Special Government Pleader takes notice for the respondents 1 to 3. Considering the nature of the order proposed to be passed, protecting the interest of the fourth respondent also, notice to him is dispensed with. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3.The case of the petitioner is that her father Rajuambalam and her mother Parvathi died 30 years ago. The petitioner, the fourth respondent/Dhanushkodi and her sisters Pushpam, Bothammal and Chinnathai are the legal heirs. The petitioner's daughter married the fourth respondent and after a few years, she died. Then, the petitioner brought up her grandchild, who is the daughter of the 4th respondent. The petitioner's younger son married the daughter of the fourth respondent. While so, on 10.07.2023, the fourth respondent/Dhanushkodi gave a petition to the first respondent to change the patta in his name for the properties belonging to the petitioner's father. In that petition, he has stated that all the other women legal heirs of the Rajuambalam have relinquished their rights and gave notary public affidavit in favour of him. In the impugned order, it has been stated that many years back, the petitioner died and she is having one daughter and she is also living somewhere in other State. The fourth respondent with an ulterior motive of grabbing the petitioner's father's properties, might have given the false information. Based on the information, the first respondent has passed the impugned order to issue separate patta in the name of the fourth respondent/Dhanushkodi. Challenging the same, the present writ petition is filed.



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4.The learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the first respondent/Tahsildar by order dated 30.12.2023 has mutated the patta in the name of the petitioner's father Rajuambalam. He has also produced a copy of the order dated 30.12.2023 passed by the first respondent/Tahsildar.

5.In view of the subsequent development, nothing survives further to be adjudicated upon in this writ petition insofar as the impugned order is concerned. Hence, the prayer sought for in this writ petition has become infructuous.

6. Therefore, this Writ Petition is dismissed as infructuous. No costs.

08.01.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

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To

1.The Tahsildar,
Nilakkottai Taluk,
Dindigul District.



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