



W.P(MD)No.9572 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9572 of 2024

and

W.M.P.(MD)No.8675 of 2024

P.Kamatchi

... Petitioner

Vs.

1.The District Collector,
Trichy District.

2.The Thasildar,,
Thottiyam Taluk,
Trichy District.

3. Chellammal

4.Kali Gounder,
Represented by Next Friend / Wife,
Sarasu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to retransfer the patta in No.433, 448, 439, in respect of the landed properties situated in Trichy District, Thottiyam Taluk, Kattuputhur Sub Registry, Pidaramangalam, S.F.No.214/4 Acre 0.37 ½ cents, S.F.No.214/1B Acre 0.39 Cents, S.F.No.214/1A Acre 1.96 ½ Cent, S.F.No.213/6A, 213/6B2 Acre 1.24 ½ cents, Total Acre 3.97 Cents, and give joint patta in the petitioner name and in



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the name of the 4th respondent by considering the petitioner's representation dated 05.02.2024.

For Petitioner : Mr.R.S.Sivaram

For Respondents : Mr.R.Ragavendran,
Government Advocate for R1 & R2.
Mr.Chamundi Bose for R4.
No appearance for R3.

ORDER

Heard the learned counsel for the petitioner, the learned Government Advocate for the respondents 1 and 2 and the learned counsel for the fourth respondent. The third respondent has been served and her name is printed in the cause list, she has not chosen to enter appearance.

2.The petitioner seeks joint patta in favour of the fourth respondent and herself. Reliance is placed on the judgments and decrees dated 20.03.2014 made in O.S.Nos.6, 382 and 477 of 2004. O.S.No.382 of 2004 was filed by Chellammal and it was dismissed. O.S.Nos.6 and 477 of 2004 were decreed as prayed for. It is stated that the property stood in the name of Palaniyandi Gounder and patta was also in his favour. Chellammal claims that property was transferred in her favour. It contended by the petitioner that the sale was declared as void. However, patta had been transferred in favour of Chellammal.



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The petitioner seeks re-transfer. Since Palaniyandi Gounder is no more, according to the petitioner, patta should be issued in name of Kali Gounder and Kamatchi, the legal heirs of Palaniyandi Gounder. A petition has been given in this regard. The second respondent is directed to dispose of the petitioner's request as per law. It is well settled that the revenue authority has to take a stand in consonance with the decree of the Civil Court. Such an order shall be passed within a period of three months from the date of receipt of a copy of this order. Due process of law shall be adhered to.

3.The writ petition is disposed of accordingly. No costs.

26.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Trichy District.
- 2.The Thasildar,,
Thottiyam Taluk,
Trichy District.



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G.R.SWAMINATHAN, J.

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