



W.P.(MD)No.29073 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE N.MALA**

W.P.(MD)No.29073 of 2024

Muthuramalingam

... Petitioner

/Vs./

1.The Revenue Divisional Officer,
Narasingampatti,Melur,
Madurai District.

2.The Tahsildar,
Madurai South,
Collectorate Campus,
Madurai,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned online order of 2024/0105/24/652344 dated 24.10.2024 passed by the second respondent, quash the same and consequently direct the respondents to issue patta in the petitioner's father's name and his legal heirs name for the family property of bearing Survey No.515/10A1A1, with an extent of 0-66.22 ares, situated at Avaniyapuram Village, Madurai South Taluk, Madurai District.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.A.Kannan

Additional Government Pleader



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ORDER

This Writ Petition is filed for issuance of Certiorarified Mandamus to quash the impugned online order of 2024/0105/24/652344 dated 24.10.2024 passed by the second respondent and for consequential direction to the respondents to issue patta in the petitioner's father's name and his legal heirs name for the family property bearing Survey No. 515/10A1A1, with an extent of 0-66.22 ares, situated at Avaniyapuram Village, Madurai South Taluk, Madurai District.

2. The petitioner's father purchased the subject property under a Sale Deed dated 09.11.1973. After the demise of the petitioner's father in 2019, the petitioner and other legal heirs were in possession and enjoyment of the subject property. During the life time of the petitioner's father, he did not mutate the revenue records in his name. Therefore, the petitioner and other legal heirs took steps to mutate the revenue records in their name for which they filed online application on 03.09.2024. As the second respondent rejected the petitioner's application, the petitioner filed this Writ Petition for the aforesaid relief.



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3. The learned Additional Government Pleader submits that the petitioner filed an appeal before the first respondent on 25.11.2024 under the Patta Passbook Act and the same is pending.

4. The learned counsel for the petitioner admits that an appeal was filed and the same is pending. The learned counsel for the petitioner therefore submits that a direction may be issued to the first respondent to consider the petitioner's appeal on merits and in accordance with law within a time to be fixed by this Court.

5. As the appeal has already been filed against the impugned order and as the same is pending before the first respondent, the writ petition challenging the same cannot be entertained. In any event, a direction is issued to the first respondent to dispose of the petitioner's appeal dated 25.11.2024, on merits and in accordance with law as per the time line stipulated in the Circular dated 17.07.2023, of the Commissioner, Land Administration, Chennai.



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6. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No
NCC : Yes / No
CM

TO:

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2.The Tahsildar,
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N.MALA, J.

CM

Order made in
W.P.(MD)No.29073 of 2024

Dated:
04.12.2024