



W.P.No.19609 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.19609 of 2024

A.Saradha

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Salem.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Idappadi Taluk,
Salem District.
3. The Tahsildar,
Taluk Office,
Idappadi,
Salem District.
4. The District Revenue Officer (DRO),
Office of the District Revenue Officer,
Salem.

... Respondents

(R4 impleaded as per order of this Court dated 18.06.2025 made in W.M.P.No.22959 of 2024 in W.P.No.19609 of 2024)



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the second respondent to consider and pass orders on the representation of the petitioner dated 24.04.2024 for issuance of patta in her name to the property situated in Survey No.276/2, Avaniperur Village, Edappadi Taluk, within a time stipulated by this Court.

For Petitioner : Mr.M.Vijaya Raghavan
For Respondents : Mr.A.Selvendran
Special Govt. Pleader for R1 to R4

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing respondents to act upon the representation submitted by petitioner on 24.04.2025 and to issue patta in her favour in respect of the subject property.

2. The case of the petitioner is that the property comprised in Survey No.276/2 measuring an extent of 0.51 cents situated at Avaniperur Village, Edappadi Taluk was purchased by petitioner's mother late



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Visalatchi vide partition deed dated 07.03.1974 registered as Document

No.323 of 1974 and her name was mutated in all the revenue records.

Petitioner's mother died on 10.02.2017 leaving behind petitioner and her

father Aandiyappan as her legal heirs. Due to personal problems, petitioner's

father was separated from her mother long back. Petitioner submitted a

representation on 04.01.2023 to third respondent to issue patta in her name.

Since the same was not considered, petitioner filed a writ petition in

W.P.No.8456 of 2024 seeking issuance of patta in her name. During the

pendency of the writ petition, third respondent has passed an order dated

09.04.2024, stating that since name of petitioner's mother was not found in

UDR, third respondent has no authority to make changes in UDR. Pursuant

to the said order, petitioner made a representation to second respondent on

24.04.2025 to issue patta in her name in respect of the subject property.

However, there was no response from second respondent. It is under these

circumstances, the present writ petition has been filed.



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3. At the outset, it is submitted by learned Special Government Pleader appearing for respondents that the District Revenue Officer is the competent authority to examine the request of petitioner to issue patta. Though the representation has been annexed in the typed set of papers addressed to District Revenue Officer, there is nothing to indicate that the same has been served on fourth respondent, who is now impleaded in the present writ petition. Learned Special Government Pleader would further submit that if petitioner submits a fresh representation for issuance of patta in respect of the subject property to fourth respondent / District Revenue Officer, the same would be considered within a time frame that may be stipulated by this Court, which was agreed to by learned counsel for petitioner.

4. Taking into consideration the facts and circumstances of the case and after perusal of the materials placed before this Court and considering the grievance expressed by petitioner, there shall be a direction to petitioner to submit a fresh representation to fourth respondent/District



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Revenue Officer along with necessary documents for issuance of patta in her name in respect of the property comprised in Survey No.276/2 within a period of four weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. On such receipt, fourth respondent shall pass appropriate orders within a period of twelve weeks thereon, after putting petitioner as well as his father, Aadiyappan and any other interested parties / rival claimants, if any, on notice. It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law.

5. Accordingly, this Writ Petition stands disposed of. No costs.

18.06.2025
(2/2)

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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MOHAMMED SHAFFIQ, J.

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**18.06.2025
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