



W.P. No.22037 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

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Rabhiya.M

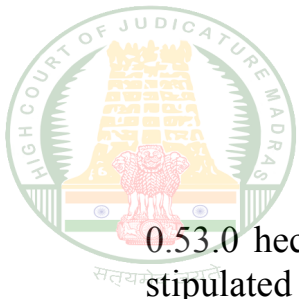
Petitioner(s)

Vs

- 1.The District Collector,
Dharmapuri District.
- 2.The District Revenue Officer,
Dharmapuri District.
- 3.The Revenue Divisional Officer,
Dharmapuri District.
- 4.The Tahsildar,
Dharmapuri Taluk,
Dharmapuri District.
- 5.The Village Administrative Officer,
Kondampatti Village,
Dharmapuri District.
- 6.Samsuthin

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to directing the 3rd respondent to dispose of the petitioner's appeal dated 05.05.2025 to conduct a detail enquiry to cancel the illegal patta name transfer for the lands in Survey No.788/7 of an extent of



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0.53.0 hectares situated at Kondampatti Village, Dharmapuri District, within a stipulated time as fixed by this Court.

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For Petitioner(s) : Mr.Krishnasamy Chinnasamy

For Respondent(s) : Mr.S.Jayachandran
1 to 5 Government Advocate

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the Respondent 6 is dispensed with.

2. The present writ petition is filed praying for a writ of Mandamus to direct the 3rd respondent to dispose of the petitioner's appeal dated 05.05.2025 to conduct a detail enquiry to cancel the illegal patta name transfer for the lands comprised in Survey No.788/7, measuring an extent of 0.53.0 hectares situated at Kondampatti Village, Dharmapuri District.

3. It is submitted by the learned counsel for petitioner that pursuant to an oral partition entered into between the petitioner and her siblings, the petitioner was allotted the land comprised in Survey No.788/7 in Kondampatti Village, Dharmapuri District, and that she was in peaceful possession and enjoyment of



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the same. While so, the UDR patta was updated in the name of her brother

WEB Samsuthin/ 6th respondent herein, petitioner filed a suit for declaration in O.S.No.293 of 2023 as Mr.Samsuthin, taking advantage of the entry in the UDR patta was threatening to sell the property. The petitioner also made a representation to the Sub-Registrar on 06.12.2023 stating that a Civil Suit is pending and they cannot register the documents in respect of the suit property. The petitioner made a representation to the respondents to cancel the patta that stands in the name of the 6th respondent through fraudulent means. Thus, the present writ petition is filed to cancel the illegal patta after conducting a detailed enquiry.

4. At the outset, it is submitted by Mr.S.Jayachandran, learned Government Advocate for respondents that the above representation of the petitioner would be considered and appropriate orders would be passed after hearing the petitioner, respondents and interested parties and also taking into consideration the relevant provisions and rules of the Patta Passbook Act, 1983, within the time period to be fixed by this Court.

5. In view thereof, the writ petition stands disposed of with a direction to the appropriate respondent to consider the representation made by the petitioner



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on its own merits, conduct detailed enquiry and pass appropriate orders in

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accordance with law also taking into consideration the relevant provisions and rules of the Patta Passbook Act, 1983, after affording reasonable opportunity of hearing to the petitioner and any other interested persons/stake holders, including rival claimants, if any. The above exercise shall be carried out within a period of 8 weeks from the date of uploading of web copy without waiting for receipt of certified copy. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law. No costs.

23.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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MOHAMMED SHAFFIQ, J.

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