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W.P.No. 32083 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.09.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.32083 of 2025

and

W.M.P.No.36415 of 2025

K.MATHAIYAN

..Petitioner

Vs.

- 1 THE DISTRICT COLLECTOR
SALEM DISTRICT, COLLECTORATE SALEM.
- 2 THE REVENUE DIVISIONAL OFFICER
SANKARI DIVISION, SANKARI AND TALUK
SALEM DISTRICT.
- 3 THE TAHSILDAR
EDAPPADI TALUK SALEM DISTRICT.

...Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records of the 3rd respondent herein sent through SMS from AD-TNGOVT- G dated 21.07.2025, whereby, the petitioner's patta name transfer application dated 23.06.2025 vide no.2025/0105108/614869 has been rejected and to quash the same and consequently direct the respondents to re-consdier the petitioner's application dated 23.06.2025 within the time frame



WEB COPY



W.P.No. 32083 of 2025

For Petitioner : Mr.M.Santhanaraman
For Respondents : Mrs.S.Indhu Bala
Additional Government Pleader

Order

With consent, the main Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition is filed seeking to quash the order passed by the third respondent herein sent through SMS from AD- TNGOVT-G dated 21.07.2025, whereby, the petitioner's patta name transfer application dated 23.06.2025 has been rejected and consequently direct the respondents to re-consider the petitioner's application dated 23.06.2025.

3. Learned counsel for the petitioner would submit that the petitioner is the absolute owner of subject property, having acquired the same under a registered Partition Deed dated 27.08.1992 entered into amongst petitioner's father's brother and his sons and the petitioner's father and the petitioner's brothers; that the petitioner's claim is that in respect of a



W.P.No. 32083 of 2025

property, comprised in S.No.269/1, revenue records were changed and patta was also issued in the name of the petitioner, however, in respect of a property comprised in S.No.268/5, the petitioner made an application to the third respondent for effecting name change and issuance of individual patta in the name of the petitioner, however, the said application came to be rejected by the third respondent herein vide SMS dated 21.07.2025, and challenging the same, the present Writ Petition is filed.

4. The learned Additional Government Pleader for respondents would submit that since the petitioner's brothers and sisters have raised objection for issuance of patta in the name of the petitioner, the respondents has refused to sub-divide the property and issue patta in the name of the petitioner, however, she fairly submitted that since the petitioner claims right/title/interest over the subject property by virtue of a Partition Deed dated 27.08.1992, the respondents would conduct enquiry by taking into consideration of the registered Partition Deed, and depending on the outcome of such enquiry, the respondents would take a decision as to whether patta has to be issued in the name of the petitioner or not or in case,



W.P.No. 32083 of 2025

the objections raised by the petitioner's brothers and sisters are found to be true, the petitioner has to approach the Civil Court and seeks for appropriate direction in that regard.

5. Heard Mr.M.Santhanaraman, learned counsel appearing for the petitioner and Mrs.S.Indhu Bala, learned Additional Government Pleader who takes notice on behalf of the respondents and also perused the materials placed on record.

6. In the present case, a Partition Deed was entered into between the parties (viz., petitioner's father's brother and his sons and the petitioner's father and the petitioner's brothers) dated 27.08.1992, and by virtue of the said Partition Deed, the petitioner herein has right/title/interest over the property comprised in S.No.268/5 and the petitioner made an application for sub-division of the subject property and to issue separate patta in the name of the petitioner before the third respondent, however, due to certain objections raised by the petitioner's brothers and sisters, the said application was rejected by the third respondent vide the impugned order.



W.P.No. 32083 of 2025

7. Thus, this Court taking into consideration of the submission made by the learned Additional Government Pleader for the respondents that respondents would conduct appropriate enquiry as regards the petitioner's claim of right/title/interest over the subject property by taking into account of the Partition Deed dated 27.08.1992 and during such enquiry, if it is found that the petitioner is the absolute owner of the property, and the dispute/objection raised by the brothers and sisters of the petitioner is not bona fide, the respondents would take appropriate steps for sub-division of the property and for issuance of separate patta in the name of the petitioner, however, in case, the objection raised by the petitioner's brothers and sisters is found to be true, certainly, petitioner's dispute has to be adjudicated before the Civil Court, directs the respondents to conduct a detailed enquiry by taking into consideration of the Partition Deed dated 27.08.1992 and thereafter, measure the property, sub-divide the same and issue separate patta in the name of the petitioner within a period of eight weeks from the date of receipt of a copy of this order, after putting on notice to the interested parties, viz., the petitioner's brothers and sisters. It is needles to say, in the event, the dispute/objection raised by the petitioner's brothers and



W.P.No. 32083 of 2025

sisters is sustainable, the petitioner has to agitate his claim over the subject property before the Civil forum.

8. With the above observation and direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is ordered.

17.09.2025

sd

Index : yes/no

Neutral Citation : yes/no

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WEB COPY



W.P.No. 32083 of 2025

Krishnan Ramasamy,J.,

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W.P.No.32083 of 2025

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