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WP No. 35547 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 35547 of 2025

AND

WMP NO. 39786 OF 2025, WMP NO. 39783 OF 2025

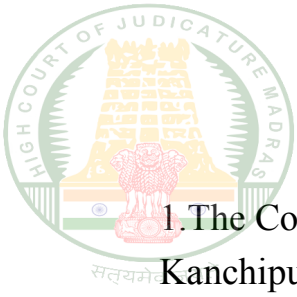
1.K.Thevatha,
W/o. Late. M.Kuppan,
No. 67 Amman Kovil Street,
Aarpakkam Walajabad,
Kanchipuram District.

2.K.Rathika,
D/o. M.Kuppan,
No. 67 Amman Kovil Street,
Aarpakkam Walajabad,
Kanchipuram District.

3.K.John Cornelius,
S/o. M.Kuppan,
No. 67 Amman Kovil Street,
Aarpakkam Walajabad,
Kanchipuram District.

Petitioner(s)

Vs



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1. The Collector,
Kanchipuram.

2. The Tahsildar,
Walajabad Taluk , Kanchipuram.

3. Zonal Deputy Tahsildar,
Walajabad 12 Taluk, Kanchipuram 3.

Respondent(s)

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, calling for the entire records of the 3rd respondent vide Impugned Rejection order dated 25/08/2025 vide Application ID 2025/ 0103/ 03/ 391588 and quash the same as void and illegal and consequentially direct the 3rd respondent to issue a patta in the joint names of the writ petitioners with respect to the property in survey No. 688/3B1 situated at Arpakkam Village, Walajabad Taluk, Kanchipuram District.

For Petitioners: Mr.T.S.Baskaran

For Respondents: Mr.D.Ravichander
Special Government Pleader

ORDER

This writ petition has been filed by the petitioner challenging the impugned Rejection Order dated 25.08.2025 passed by the 3rd respondent in Application ID 2025/ 0103/ 03/ 391588 and quash the same as void and illegal



and consequentially direct the 3rd respondent to issue a patta in the joint names

of the writ petitioners with respect to the property in Survey No. 688/3B1

situated at Arpakkam Village, Walajabad Taluk, Kanchipuram District.

2.Mr.D.Ravichander, learned Special Government Pleader, takes notice on behalf of the respondents. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

3.Learned counsel for the petitioners would submit that the petitioners submitted an online application on 12.08.2025 for the transfer of the patta in their favour in respect of the Survey No.688/3B1 situated at Arpakkam Village, Walajabad Taluk, Kanchipuram District. However, the 3rd respondent by order dated 25.08.2025, rejected the said application on the ground that civil suit is pending regarding the subject property.

4.He would further submit that the as on date no suit is pending concerning the Survey No.688/3B1 situated at Arpakkam Village, Walajabad



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Taluk, Kanchipuram District. One Late Kuppan, husband of the 1st petitioner and father of the petitioners 2 and 3 filed suit in O.S.No.302 of 2007 seeking partition of ancestral properties situated at Arpakkam Village and in the said suit the final decree came to be passed on 01.09.2009 itself and thereafter, through execution petition, the share of late Kuppan was allotted to him. The revenue records in respect of house property was mutated in the name of late Kuppan during his life time. However, in respect of the agricultural land in Survey No.688/3B1, the mutation had not been effected. Therefore, the petitioners applied for the transfer of patta in their favour since they are the surviving legal heirs of said Kuppan. However, the 3rd respondent citing the suit which was already been decreed had erroneously rejected the petitioners application. Hence, he prayed to set aside the impugned rejection order dated 25.08.2025 and direct the 3rd respondent to issue a joint patta in favour of the petitioners.

5.Learned Special Government Pleader appearing for the respondents would submit that since the final decree itself has been passed in the suit in O.S.No.302 of 2007 and as on date no litigation is pending in respect of the

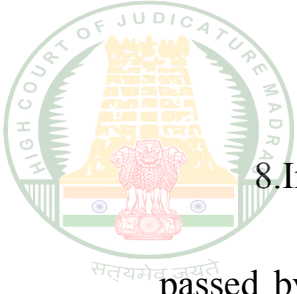


Survey No.688/3B1, appropriate orders may be passed to dispose of the petitioners' application.

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6.Heard the learned counsel for the petitioners as well as the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

7.Considering the submissions made by the learned counsel for the petitioners and the learned Special Government Pleader appearing for the respondents, it is clear that as on date no suit is pending as regard the Survey No.688/3B1 situated at Arpakkam Village, Walajabad Taluk, Kanchipuram District and the suit filed by the husband of the 1st petitioner was decreed and the final decree was passed on 01.09.2009. Therefore, there is no impediment for the 3rd respondent to consider the application of the petitioners dated 12.08.2025.



8. In view of the above, the impugned rejection order dated 25.08.2025 passed by the 3rd respondent is set aside and the 3rd respondent is directed to consider the application of the petitioner dated 12.08.2025 for issuance of joint patta in their favour, taking note of the fact that the suit in O.S.No.302 of 2007 has been decreed and the final decree has also been in I.A.No.503 of 2008 in O.S.No.302 of 2007 vide order dated 01.09.2009.

9. With the above directions, this writ petition is disposed of. No costs.

25-09-2025

(1/3)

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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WEB COPY

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WEB COPY

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KRISHNAN RAMASAMY J.

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