



W.P.No.37194 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.37194 of 2025
and W.M.P.No.41629 of 2025

A.Mani

... Petitioner

-Vs-

1. The District Collector,
Salem District Collectorate,
Salem District - 636 001.
2. The District Revenue Officer,
Salem District Collectorate,
Salem District.
3. The Revenue Divisional Officer,
Atur Division, Vinayagapuram Post,
Salem District - 636 102.
4. The Zonal Deputy Tahsildar,
Atur Taluk,
Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for records of the file of the 4th respondent in proceedings Application No.2024/0103/08/507217 dated 05.11.2024 and quash the same as illegal, incompetent and without jurisdiction and consequently direct the 4th respondent to issue patta to the petitioner's land survey No.567/5 to an extent of 1.5 acre situated at North Ramanaickenpalayam Village, Attur Taluk, Salem in favor of petitioner as per



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the registered sale deed in Doc No.6696 of 2023.

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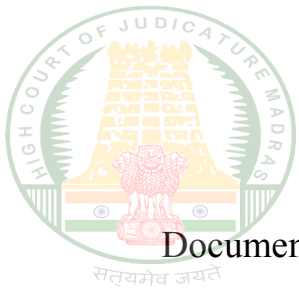
For Petitioner : Mr.L.Ramanathan
For Respondents : Mr.P.Ganesan
Government Advocate

ORDER

This Writ Petition has been filed challenging the order passed by the fourth respondent in Application No.2024/0103/08/507217 dated 05.11.2024, thereby rejecting the request made by the petitioner for transfer of patta in respect of the land comprised in S.No.567/5 to an extent of 1.5 acre situated at North Ramanaickenpalayam Village, Attur Taluk, Salem.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner had purchased the land comprised in S.No.567/5 to an extent of 1.5 acre situated at North Ramanaickenpalayam Village, Attur Taluk, Salem by the registered sale deed vide Document No.6696 of 2023. Thereafter, the petitioner submitted an application before the fourth respondent for mutation of revenue records and also for issuance of patta. However, it was rejected, on the ground that the civil suit is pending in respect of the subject property. The suit is now pending in O.S.No.643 of 2022 filed by the petitioner's vendor's sister for declaration declaring that the settlement deed dated 19.10.1995 vide



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Document No.1545 of 1995 as null and void and also sought for partition of the subject property.

4. It seems that the petitioner's vendor was settled with the property and the same was challenged by the petitioner's vendor's sister. However, the petitioner had purchased the subject property for a valid sale consideration and he is in possession and enjoyment of the subject property.

5. If at all the third party who filed a suit succeeds before the civil Court, on request, the revenue records can be mutated in her favour. So far no order has been obtained by the third party for non issuance of patta in respect of the subject property. Admittedly, the petitioner had purchased the subject property for a valid sale consideration by the registered sale deed vide Document No.6696 of 2023. Further, the request made by the petitioner was rejected by a single line order that too on the ground that the civil suit is pending. The civil suit filed by the petitioner's vendor's sister is nothing to do with the application submitted by the petitioner for issuance of patta.

6. In view of the above, the impugned order cannot be sustained and is liable to be quashed. Accordingly, the order passed by the fourth respondent in Application No.2024/0103/08/507217 dated 05.11.2024 is hereby quashed. The



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fourth respondent is directed to issue patta in favour of the petitioner for the subject property as per the sale deed registered vide Document No.6696 of 2023, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that if any third party succeeds in their suit in respect of the subject property, they can very well approach the revenue authorities for mutation of revenue records.

7. Accordingly, this writ petition stands allowed. Consequently, connected Miscellaneous petition is closed. No costs.

06.10.2025

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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