



W.P.No.39219 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.39219 of 2025 and
WMP.No.44017 of 2025

Mythili

... Petitioner

Vs.

1.The Zonal Deputy Tahsildar,
Pennagaram Taluk,
Dharmapuri District
2.The Village Administrative Officer,
Perumpalai Village, Perumpalai,
Pennagaram Taluk,
Dharmapuri District

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the first respondent in 2024/0103/05/262415, dated 22.05.2024, and quash the same, and consequently direct the first respondent to transfer patta in favour of the petitioner in respect of the property measuring 2.25 acres in survey



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No.495/2E, situated at Perumpalai Village, Pennagaram Taluk, Dharmapuri District, within a stipulated time as fixed by this Court.

For Petitioner : Mr.S.Kuberan

For Respondents : Mr.P.Ganesan,
Government Advocate

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 22.05.2024 thereby rejected the request made by the petitioner seeking transfer of patta for the reason that the counter parties filed suit in OS.No.41 of 2024 and it is pending on the file of the District Munsif Court, Pennagaram.

2. The petitioner derived title over the property comprised in survey no.495/2E to an extent of 2.25 acres situated at Perumpalai Village, Pennagaram Taluk, Dharmapuri District by the settlement deed dated 30.11.2018 from her husband. Originally the said property belongs to one, Jeganathan. After his demise, his wife Marimuthammal executed settlement deed in favour of one, Sasikala and Kokila dated 04.06.2009. Thereafter, the said Sasikala had executed power of attorney in favour of



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one, Sivakumar to deal with the property. Thereafter, the said Sivakumar sold out the subject property in favour of one, Prabu. In turn, he executed power of attorney in favour of one, Lakshmanan in respect of the subject property. In turn, it was sold out in favour of the petitioner's husband by the registered sale deed dated 19.11.2014 and subsequently it was settled in favour of the petitioner. While the petitioner submitted representation for seeking patta in respect of the subject property, one, Thangam filed writ petition before this Court in WP.No.11563 of 2019 seeking not to transfer patta in favour of the petitioner in respect of the subject property on the ground that the suit in OS.No.185 of 2013 was pending on the file of the Sub Court, Dharmapuri in respect of the subject property. However, subsequently it was dismissed by the judgment and decree dated 18.11.2016. Therefore, the said writ petition filed before this Court was dismissed by order dated 24.04.2024. This court also observed that even if the patta in respect of the subject property is transferred in the name of the petitioner herein, it would not make any difference. It all depends on the civil suit.



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3. However, the first respondent rejected the request made by the petitioner for seeking transfer of patta on the ground that one, Sasikala filed suit in OS.No.41 of 2024 and it is pending on the file of the District Munsif cum Judicial Magistrate, Pennagaram. On perusal of the plaint filed in OS.No.41 of 2024 on the file of the District Munsif Court, Pennagaram, it is revealed that it was filed challenging the power of attorney and the sale deed executed in faovur of the petitioner's husband and settlement deed executed in favour of the petitioner. If at all the counter parties succeed in the suit, they can very well approach the revenue authority for appropriate relief for mutation of revenue records in their favour. As of now, the power of attorney, sale deed and the subsequent settlement deed are very much in force in respect of the subject property. Therefore, the petitioner is very much entitled to deal with the property as per the settlement deed executed in favour of her since the petitioner's husband had valid title over the subject property by way of registered sale deed dated 19.11.2014 vide document no.3926 of 2014. Therefore, the impugned order cannot be sustained and the same is liable to be set aside.



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4. Accordingly, the impugned order passed by the first respondent dated 22.05.2024 is set aside. The respondents are directed to transfer patta in favour of the petitioner forthwith in respect of the property measuring 2.25 acres in survey No.495/2E, situated at Perumpalai Village, Pennagaram Taluk, Dharmapuri District.

5. With the above direction, this writ petition stands allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

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Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Zonal Deputy Tahsildar,
Pennagaram Taluk,
Dharmapuri District
- 2.The Village Administrative Officer,
Perumpalai Village, Perumpalai,
Pennagaram Taluk,
Dharmapuri District
- 3.The Government Advocate,
High Court of Madras

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