



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.01.2025**

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P(MD)NO.1769 of 2025

I.Poovizhi

:Petitioner

.VS.

1.The Sub-Collector/
Revenue Divisional Officer,
Devakottai Division,
Sivagangai District.

2.The Zonal Deputy Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

3.M.Shanthi

:Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider and pass order on the Petitioner's representation, dated 26.11.2024 seeking restoration of the patta issued by the second respondent in respect of the lands in S.Nos. 16/7, 54/6A,55/31,59/6 and 8/7 of Melaiyur Village, Naduvikottai, Thiruppathur Taluk, Sivagangai District.

For Petitioner

:Mrs.M.Sudharani

For Respondents
1 and 2

:Mr.R.Raghavendran
Govt.Advocate(Civil Side)

**ORDER**

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This Writ Petition is filed for a Writ of Mandamus directing the first respondent to consider and pass order on the Petitioner's representation, dated 26.11.2024 seeking restoration of the patta issued by the second respondent in respect of the lands in S.Nos. 16/7, 54/6A, 55/31, 59/6 and 8/7 of Melaiyur Village, Naduvikottai, Thiruppathur Taluk, Sivagangai District.

2.Mr.R.Raghavendran, learned Government Advocate(Civil Side) takes notice for the respondents 1 and 2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The subject property originally belong to one Chinnan and on his demise, all the properties devolved on his wife Natchi and his only son Karuppiyah. Patta was also issued in their name. The said Karuppiyah had one son by name Gunasekaran, who in turn had two daughters namely, Shanthi and Victoria and two sons including the Petitioner's husband namely, Immanuel and Jesudoss. While so, one of the daughter's Shanthi, approached the second respondent for patta transfer in her name and on her request, the second respondent transferred the patta which stood in the name of Karuppiyah and his mother Natchi. The Petitioner states that



before transferring patta, the second respondent did not give an opportunity of hearing to the other legal heirs of the deceased Karuppiah. As there was a violation of provision of Patta Passbook Act r/w Rule 4 of the said Rules, the Petitioner sent a representation to the first respondent seeking restoration of the patta on 26.11.024. In spite of the Petitioner's representation, patta was not restored. Therefore, the Petitioner filed the above Writ Petition for the aforesaid relief.

4.The learned Government Advocate(Civil Side)appearing for the respondents 1 and 2, on instructions, submits that in pursnance of the Petitioner's representation, dated 26.11.2024, the first respondent issued notice of enquiry on 10.01.2025, fixing the date of enquiry as 12.02.2025.Therefore, time may be granted to the first respondent to pass final orders on the Petitioner's representation.

5.In the light of the above submission made by the learned Government Advocate(Civil Side) and in view of the fact that proceedings have already been initiated, a direction is issued to the first respondent to consider the Petitioner's representation, dated 26.11.2024,pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy



of this order.

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6.The Writ Petition is accordingly disposed of. There is no order as to costs.

23.01.2025

NSC :Yes/No
Index:Yes/No
Internet:Yes/No
vsn

To

- 1.The Sub-Collector/
Revenue Divisional Officer,
Devakottai Division,
Sivagangai District.
- 2.The Zonal Deputy Tahsildar,
Thiruppathur Taluk,
Sivagangai District.



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N.MALA, J.

vsn

ORDER MADE IN
W.P(MD)NO.1769 of 2025

23.01.2025