



W.P.(MD)No.3315 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3315 of 2025

Pothumponnu

... Petitioner

/Vs./

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Mellur West,
Madurai District.

3.The Tahsildar,
Mellur West, Madurai,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to consider the petitioner's application vide Challan No.2024/0105/684921 dated 17.12.2024 thereby directing the respondents to issue separate patta for the petitioner's property for the land situated at Sr.No.73/1B1 for the total extent of 82 cents, 53-A Valayapatti Village, Mellur West Taluk, Madurai District.



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For Petitioner : Mrs.K.M.Priscilla Jancy
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself in view of the limited prayer sought for.

2. The petitioner seeks writ of mandamus to dispose of the petitioner's application, dated 17.12.2024 for issuance of separate patta. The petitioner claims under the Will of her father executed in the year 2014. The said Will is a registered Will.

3. According to the petitioner, subsequent to the demise of her father, the petitioner has become entitled to the subject property and she has been in possession and enjoyment of the same. She has sought for mutation of records in her favour and the application made by her for issuance of separate patta on 17.12.2024 is not being acted



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upon/considered by the authorities. Hence, she has filed the present writ petition.

4. Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents would submit that even during the life time of the father of the petitioner, the property was dealt with by her father Malayalam and hence, patta cannot be issued. However, the learned counsel for the petitioner would meet the said submission of the learned Additional Government Pleader stating that it is only sub-divided portion of the property that was sold by her father and not the entire property.

5. Be that as it may, considering the fact that the petitioner only seeks for disposal of the representation for issuance of separate patta based on her application dated 17.12.2024, direction is issued to the third respondent Tahsildar to consider the petitioner's application dated 17.12.2024 and pass orders on merits and in accordance with law after affording an opportunity of personal hearing to the petitioner. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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6. With the above direction, the writ petition is disposed of.

No costs.

Index : Yes / No

NCC : Yes / No

am

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P.B. BALAJI, J.

am

Order made in
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