

W.P.(MD)No.3224 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.3224 of 2025

1.Swamykannu

2.M.Balasubramanian

3.S.Manicka Vinayagam

4.Senthilkumar

5.Suresh @ Subbaiah

... Petitioners

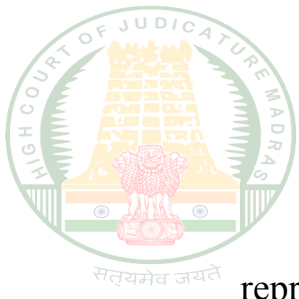
.Vs.

1.The District Collector,
Office of the District Collector,
Trichy District.

2.The Tahsildar,
Srirangam Taluk Office,
Trichy District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to transfer the patta in favour of the first petitioner and in favour of the petitioners 2 to 5 herein in the light of the registered Will executed in our favour vide registered document No.53/2008 dated 24.02.2008 on the file of the Sub Registrar, Trichy, by considering the petitioners'



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representation, dated 21.12.2024.

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For Petitioners : Mr.B.Jameel Arasu

For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

The petitioners are the sons of one Thanapackiam, who, according to the petitioners, are the absolute owners of the subject lands, and in and by a registered Will dated 24.02.2008, the said Thanapackiam has bequeathed the subject lands to the petitioners, her sons. The petitioners are claiming rights under the said registered Will and have also made an online application for the transfer of patta in their favour, giving a representation on 21.12.2024 for change of patta in their names pursuant to the demise of Thanapackiam, who left behind the registered Will in favour of the petitioners.

2.The learned Government Advocate appearing for the official respondents would submit that the patta, which is being relied on by the petitioners, patta No.1350, does not stand in the name of



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Thanapackiam and it is mutated in the name of Pichaiyammal, wife of one Thangavel and pertains to a different survey number altogether. Therefore, he would submit that the petitioners have not come to the Court with clean hands.

3.However, without going into the merits of the contentions of the parties, since there is an application made by the petitioners for transfer of patta, basing their claim on the particular document, namely document No.53 of 2008 and also the registered Will executed by the said Thanapackiam, it is open to the second respondent to enquire into the matter and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

4.With the above directions, the Writ Petition is disposed of. No costs.

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
sjj

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P.B.BALAJI,J.

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To

- 1.The Tahsildar,
Vedasandur Taluk,
Dindigul District.
- 2.The Taluk Surveyor,
Vedasandur Taluk,
Dindigul District.

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