



W.P.(MD)No.4911 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :18.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.4911 of 2024

N.Siraj Meeraal

... Petitioners

Vs.

1. The District Collector,
Thenkasi District,
Thenkasi.

2. The Revenue Divisional Officer,
Thenkasi Circle,
Thenkasi District.

3. The Tahsildar,
Sivagiri Taluk,
Thenkasi District.

4. Chitra

5. Muthukanni

6. Sevuga Perumal

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in RD is RDOSKL / 213 / 2023-B3 dated 09.06.2023 passed by 2nd Respondent and quash the same as illegal and Ultra Vires consequently direct 3rd Respondent to issue



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individual Patta in favor of the petitioner with respect of property comprised in Sy.No. 204/3A having area of 720 Sq. Feet at 6th ward main road street, Majara Mettupatti, Ramanathapuram village, Sivagiri Taluk, Thenkasi District.

For Petitioner : Mr. A. Joseph Jerry

For Respondents :Mr.B.Saravanan
Addl. Government Pleader for R1 to R3
No appearance for R4, R6

ORDER

The petitioner had applied for a separate patta in respect of land in Survey No.204/3A. The said request was rejected by the Revenue Divisional Officer by order dated 09.06.2023. The said order is impugned herein.

2. In the affidavit in support of this petition, it is stated that the property was originally owned by one Arunagiri, who had a son called Kuthalam. The said Kuthalam had three male children, namely Velu, Muthaiyah, Sevuga Perumal. It is also stated that the second son, Muthaya executed sale deed dated 05.11.2018 in favour of the petitioner.



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3. Learned counsel for the petitioner submits that there was an oral partition between the three brothers and that this is acknowledged by the Government in earlier order dated 25.11.2022 in W.P.(MD) No.20299 of 2021. Learned counsel refers to paragraph 4 of the order.

4. Consequently, learned counsel contends that there is no title dispute and that the petitioner should not have been relegated to the jurisdictional civil court.

5. From the averments in the affidavit, it is clear that Kuthalam had three male children, who are said to have inherited the property jointly. The affidavit does not contain any reference to an oral partition. The order dated 25.11.2022 merely records the submissions of learned Additional Government Pleader that the petitioner's land was surveyed and demarcated on 23.04.2021. On that basis, it cannot be concluded that an oral partition was effected between the three sons of Kuthalam and that such oral partition had been acted upon.

6. From the above discussion, it appears *prima facie* a title dispute exists in relation to the relevant property. In those circumstances, I am not inclined to interfere with the order of the Revenue Divisional Officer.



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By leaving it open to the petitioner to approach the jurisdictional civil court or file a revision petition before the District Revenue Officer, this writ petition is disposed of. If such revision petition is filed within thirty days from the date of receipt of a copy of this order, the jurisdictional District Revenue Officer is directed to receive and dispose of the same on merits without going in to the question of limitation.

7. This writ petition is disposed of on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.11.2025

NCC :No
Internet :Yes
Index :No
PKN



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SENTHILKUMAR RAMAMOORTHY, J.

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