



W.P.(MD)No.5367 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.04.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD) No.5367 of 2025

K.Ponnammal

... Petitioner

/Vs./

1.The District Revenue Officer,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Dindigul District,
Dindigul.

3.The Tahsildar,
Dindigul East Taluk Office,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings issued by the 1st respondent vide Na Ka No.2411/2021/A4 dated 14.01.2023 and quash the same as illegal and unconstitutional and consequently directing the respondents herein to issue separate patta in favour of the petitioner as per the judgment and



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decree passed in S.A.No.258 of 2001 dated 18.09.2017 on the file of this Court.

For Petitioner : Mr.B.James Arasu

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard Mr.B.James Arasu, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader for the respondents.

2.The petitioner challenges the order of the first respondent in Na.Ka.No.2411/2021/A4 dated 14.01.2023 on the ground that the petitioner has been allotted 88 cents in the eastern side, contrary to the allotment by the competent Civil Court, which came to be confirmed up to this Court in Second Appeal proceedings, allotting the western side measuring an extent of 88 cents to the writ petitioner.

3.Infact, the Tahsildar as well as the Revenue Divisional Officer have complied with the decree of the competent civil Court and issued



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patta to the writ petitioner. However, on going through the impugned order, as rightly contended by the learned counsel for the petitioner, I find that there is no clarity with regard to the observations and findings rendered by the first respondent. At one place, the first respondent states that he is confirming the order of the respondents 2 and 3, yet at another place, he sets aside the orders of the respondents 2 and 3.

4.In any event, the authorities are bound by the judgment and decree passed in O.S.No.1472 of 1986, which came to be confirmed by this Court, by dismissing S.A.No.258 of 2001, by judgment and decree, dated 18.07.2017, which has also admittedly become final.

5.In the light of the above, the impugned order is set aside and the matter is remitted to the first respondent to consider the request of the private respondents, who are the appellants in S.A.No.258 of 2001 afresh, after affording an opportunity to the petitioner herein as well as the appellants in S.A.No.258 of 2001. The first respondent shall keep in mind the judgement and decree of the civil Court, which came to be confirmed by this Court in S.A.No.258 of 2001, vide judgment and order



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dated 18.09.2017, in and whereby the petitioner's entitlement to the western extent of 88 cents has been affirmed. The first respondent shall pass final orders within a period of 12 weeks from the date of receipt of a copy of this order.

6.It is made clear that in the event of any mutation having been given effect to subsequent to the impugned order passed on 14.01.2023 and prior to the writ petition being filed on 24.02.2025, any persons, who may have taken the benefit under such mutation, shall also be put on notice and heard.

7.In fine, the Writ Petition is allowed. No costs.

Index : Yes / No
NCC : Yes / No
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24.04.2025

TO:-

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Dindigul.

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3.The Tahsildar,
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Dindigul District.



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P.B. BALAJI, J.

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Order made in
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