



W.P.(MD)No.5608 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.5608 of 2025

Murali

.... Petitioner

/Vs./

1.The District Collector,
Sivagangai District.

2.The District Revenue Officer,
Sivagangai District.

3.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

4.The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent not to cancel the patta granted in favour of the petitioner in Patta No.2001 pending disposal of the unnumbered appeal filed by the petitioner on the file of the second respondent as against the order of the third respondent in



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na.Ka.A3/3296/2024 dated 28.1.2025 by considering the petitioner's representation dated 21.02.2025.

For Petitioner : Mr.S.Vishnuvardhan
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner seeks issuance of a Writ of Mandamus forbearing the fourth respondent from cancelling the patta granted to the petitioner in patta No.2001, pending disposal of his appeal before the second respondent, challenging the order of the third respondent dated 28.01.2025.

2. The grievance of the petitioner is that the petitioner's patta has been cancelled by the proceedings of the third respondent. The petitioner has challenged the same by way of an appeal before the second respondent and the second respondent has not taken up the appeal on even the stay petition which has been filed. Taking advantage of the same, the fourth respondent is now proceeding to mutate the patta in favour of the third parties, who are shown as respondents in the appeal.



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The petitioner's limited relief is that till such time the petitioner's appeal is taken up and disposed of, the Tahsildar shall not mutate the patta based on the orders of the third respondent.

3. Considering the limited scope of the prayer sought for, the writ petition is disposed in the following manner:-

(i) The second respondent shall take up the appeal preferred by the petitioner challenging the order of the third respondent and entertain the same.

(ii) The second respondent shall consider the prayer for stay sought for by the writ petitioner pending disposal of the appeal. The said application shall be disposed of within a period of four weeks after hearing the private respondents, on merits, in accordance with law.

(iii) The appeal preferred by the petitioner shall also be disposed of within a period of twelve weeks from the date of receipt of a copy of this order.

(iv) Till such time the stay petition is heard by the second



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respondent, the fourth respondent shall not cancel the patta standing in the name of petitioner and the same shall be subject to the orders passed in interlocutory application for stay, which has been directed to be taken up by the second respondent on merits after hearing the parties concerned. The stay application shall be disposed within a period of four weeks. Till such time, the fourth respondent shall not give effect to the order of the third respondent. No costs.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.



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Order made in
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