



W.P.(MD)No.7370 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.7370 of 2025

and

W.M.P.(MD)No.5568 of 2025

Muthuvijayan

: Petitioner

Vs.

1.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

2.The Tahsildar,
Taluk Office,
Vilathikulam Taluk,
Thoothukudi District.

3.The Sub Registrar,
Vilathikulam,
Thoothukudi District.

4.Mohan Kumar

5.Kumari Janani

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the first and second



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respondents not to effect any changes in the mutation records in respect of the properties belonging to the legal heirs of Late Rajaram, the father of the petitioner and the fourth respondent till disposal of the partition suit pending on the file of the learned Sub Court, Koilpatti in O.S.No.27 of 2023 and the injunction suit pending on the file of the learned District Munsif Vilathikulam in O.S.No.21 of 2022.

For Petitioner : Mr.R.Murugan
For Respondents 1 to 3 : Mr.S.Kameswaran,
Government Advocate

ORDER

The petitioner has sought for issuance of a Writ of Mandamus, seeking a direction to the respondents 1 and 2 not to effect changes in mutation records in respect of properties belonging to Late Rajaram, the father of the petitioner and the fourth respondent, pending disposal of O.S.No.21 of 2022.

2.I have heard the learned Counsel on either side.

3.Learned Counsel for the petitioner would submit that his father Rajaram died intestate and the petitioner is also a legal heir along with the fourth respondent. A partition suit has been filed



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before the Sub-Court, Kovilpatti, in O.S.No.21 of 2022 and interim orders have also been granted in the said suit. However, the grievance of the petitioner is that the patta has been mutated in the individual name of his brother / fourth respondent. The petitioner therefore, approached this Court, for restraining the authorities from effecting any changes in the mutation records pending disposal of the suit in O.S.No.21 of 2022.

4.As rightly contended by the learned Government Advocate appearing for the official respondents, no such positive direction can be issued in the Writ Petition. He would further invite my attention to the affidavit filed in support of this Writ Petition as well as the various documents enclosed in the typed set of papers and contend that the petitioner has not even given a representation to the authorities and without such representation, Writ Petition cannot be maintained.

5.In view of the above, this Writ Petition is disposed of, giving liberty to the petitioner to give appropriate representation to the authorities concerned and subject to the representation being made, the same shall be disposed of by the authorities concerned, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, fourth respondent and all the other



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interested parties. There shall be no order as to costs. Consequently,
the connected miscellaneous petition is closed.

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18.03.2025

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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P.B.BALAJI., J.

MR

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