



W.P.(MD) No.6710 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.6710 of 2023

S.Sekar

... Petitioner

Vs.

1.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

2.M.Mahalingam

3.M.Selvam

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first respondent to issue patta in the name of the petitioner for the property situated in Survey No.35/6 situated at Perattukottai Village, Perattukottai Group, Devakottai Taluk, Sivagangai District, by considering the application of the petitioner dated 07.12.2021.

For Petitioner : Mr.J.Anandkumar

For R1 & R2 : Mr.A.Baskaran
Additional Government Pleader



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For R3 : Mr.VR.Shanmuganathan

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ORDER

The petitioner herein seeks a direction to the first respondent to issue a patta in his name in respect of the property situated in Survey No. 35/6 at Perattukottai Village, Perattukottai Group, Devakottai Taluk, Sivagangai District, by considering his application dated 07.12.2021.

2.Heard the arguments of Mr.J.Anandkumar, learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents 1 and 2.

3.According to the petitioner, he purchased the subject property from the second respondent under a registered sale deed dated 08.11.2021. The patta for the said property also stands in the name of the petitioner's vendor in Patta No.1607. On the strength of the said documents, the petitioner submitted an application before the first respondent on 07.12.2021 seeking issuance of patta in his name. The same has not been considered. Hence, he has come before this Court.



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4.From the averments found in the affidavit filed in support of the writ petition, it appears that the third respondent, who is the brother of the second respondent, has already instituted a civil suit in O.S.No.248 of 2021 on the file of the Sub Court, Devakottai seeking the relief of partition in respect of the subject property.

5.In these circumstances, without expressing any opinion on the merits of the matter, the first respondent is directed to consider the application of the petitioner dated 07.12.2021 and pass final orders on its own merits, within a period of twelve weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner and the respondents 2 and 3. Accordingly, this Writ Petition is disposed of.
No costs.

08.07.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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To

The Tahsildar,
Devakottai Taluk,
Sivagangai District.

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