



W.P.(MD)No.8225 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.8225 of 2025

and

W.M.P(MD)No.6175 of 2025

- 1.Magudeeswaran
- 2.Palanisamy
- 3.Satheeskumar
- 4.Karuppasamy
- 5.Alex Pandi
- 6.Thannasaiappan
- 7.Muthumanickam
- 8.Thirumurthy
- 9.Suganthi
- 10.Jeganathan
- 11.Kannan

.... Petitioners

/Vs./

1. The District Collector
Dindigul.
2. The District Revenue Officer
Dindigul.
- 3.The Revenue Divisional Officer
-cum Assistant Commissioner (Land Reforms),
Office of the Revenue Divisional Office,
Palani, Dindigul District.



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4. The Tahsildar
Taluk Office, Palani,
Dindigul District.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue patta in favor of the petitioners based on their possession in respect of S.No. 443 situated at the Periyammapatti village, Palani Taluk, Dindigul District based on the possession and enjoyment.

For Petitioner : Mr.N.Mohan

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The writ petitioners, joining together, have filed the present writ petition seeking issuance of a Writ of Mandamus to direct the respondents to issue patta in their favour, based on their long and continuous possession of the respective portions in Survey No.443, Periyammapatti Village, Palani Taluk, Dindigul District.

2. The grievance of the petitioners is that the similarly placed persons have already been issued 'F' patta and the petitioners' have been singled out without any justifiable grounds or reasons.



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3. The learned Additional Government Pleader at the last hearing was directed to find out if such similarly placed persons were issued 'F' patta. Today, the learned Additional Government Pleader would submit that out of 11 writ petitioners only three of the writ petitioners have made an application for issuance of 'F' patta and consequently, out of the said three writ petitioners, two of the writ petitioners, namely the petitioners 1 & 2 have already been found eligible for issuance of 'F' patta. However, the fifth petitioner Alex Pandi has been found to be ineligible since he does not reside in the same District.

4. The learned counsel for the petitioner would submit that the fifth petitioner has not been put on any notice about any adverse order, rejecting his request of issuance of patta. Insofar as the other petitioners, the learned Additional Government Pleader would submit that if the writ petitioners make separate individual applications for issuance of patta, their case shall also be considered, on merits.



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5. The learned counsel for the petitioner would submit that all the petitioners are in physical possession and enjoyment of the various portions of the survey No.443/1 and pending this exercise of making an application, and orders being passed, their possession should not be disturbed.

6. The learned counsel for the petitioner would submit that Sangam comprising of various members has already taken up the issue for issuance of 'F' patta to its members and the Sangam has been espousing the cause of the individual members and therefore, he would submit that separate applications may not be necessary. He would also place reliance on the Peace Committee meeting held on 05.03.2025. However, I am unable to countenance the said submissions. As all the petitioners are seeking individual rights of assignment in their respective favour and an association or Sangam cannot espouse such individual cases of its members. The said argument of the counsel for the petitioner cannot be countenanced since despite being members of the sangam, atleast 3 of the writ petitioners have made individual applications for issuance of patta. Therefore, the submission of the learned counsel for the petitioner that



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the Sangam's representations can be considered and no separate applications need be filed by individual members is not sustainable.

7. Considering the fact that the petitioners are only seeking for recognition of their long possession and enjoyment, by seeking 'F' patta, it would be fair and appropriate to allow the petitioners to continue to be in possession, till final orders are passed by the respondents. The writ petition is disposed of in the following manner:-

(i) The petitioners 1 & 2 who have been found eligible for issuance of 'F' patta shall be issued with necessary 'F' patta, within a period of eight weeks from today.

(ii) The fifth petitioner, who has been found to be ineligible, shall be called for an enquiry and after hearing the claim of the fifth petitioner and allowing him to meet the objections raised by the authorities, final orders shall be passed in respect of the petitioner's application for issuance of 'F' patta, within eight weeks from the date of receipt of a copy of this order. Till such time, the possession of the fifth petitioner shall not be disturbed.



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(iii) Insofar as the petitioners 3,4,6 to 11, the said writ petitioners shall made individual applications for issuance of 'F' patta, within a period of two weeks, from the date of receipt of a copy of this order. On receipt of the said applications, within a further period of twelve (12) weeks, the third respondent shall individually consider their applications on merits, after affording a fair opportunity to the writ petitioners and thereafter, pass final orders. Till such time, possession of the petitioners shall not be disturbed.

(iv) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

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