



W.P.(MD) No.9143 of 2022

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.08.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD)No.9143 of 2022

B.Alla Baksh (Deceased)

1.A.Saleem

2.A.Parook

(P1 and P2 are substituted vide Court
order dated 12.08.2025 in W.M.P.(MD)
No.17392/2025)

... Petitioners

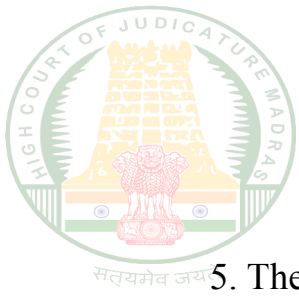
Vs

1. The Commissioner of Land Administration,
O/o.Commissioner of Land Administration,
Chepauk,
Chennai 5.

2. The District Collector,
O/o.District Collectorate,
Sivagangai.

3. The District Revenue Officer,
O/o. District Revenue Office,
Sivagangai.

4. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Devakottai,
Sivagangai District.



W.P.(MD) No.9143 of 2022

WEB COPY

5. The Thasildhar,
Thirupathur Taluk,
Sivagangai District.

6. The President,
Periyapallivasal Jamath Committee,
Thirupathur, Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent Nos. 2 to 5 to conduct the proper enquiry and provide the Patta to the sheik imam risaldar pallivasal in respect of S.No.236/1 extent about 0.96.50 hectare exclude the prayer place extent of 110 x 140 sq.feet situated at, Thirupathur, Sivagangai District within the time stipulated by this Court.

For Petitioners	: Mr.M.Mahaboob Fazil for M/s.T.Lajapathi Roy
For Respondents	: Mrs.S.Jeya Priya, Govt. Advocate for R1 to R5 Mr.V.R.Venkatesan for R6

ORDER

This Writ Petition is filed seeking a direction to the respondents 2 to 5 to conduct proper enquiry and grant patta to the Sheik Imam Risaldar Pallivasal in respect of the land situated in S.No.236/1 with an



W.P.(MD) No.9143 of 2022

extent of 0.96.50 hectares, after excluding the place earmarked for offering prayers with the measurement of 110 x 140 sq.ft., in Thirupathur, Sivagangai District, within the time stipulated by this Court.

2. Heard the arguments of Mr.M.Mohaboob Fazil, learned counsel representing Mr.T.Lajapathi Roy, learned counsel on record for the petitioners, Mrs.S.Jeya Priya, learned Government Advocate appearing for the respondents 1 to 5 and Mr.V.R.Venkatesan, learned counsel appearing for the 6th respondent.

3. It is seen from the averments found in the affidavit filed in support of this Writ Petition, the Assistant Land Settlement Officer passed an order against the Sheik Imam Risaldar Pallivasal, without considering the decree passed by the civil Court in A.S.No.51 of 1938, on the file of Sub Court, Devakottai. Challenging the said order passed by the Assistant Land Settlement Officer, the petitioners' father and other three members of the Sheik Imam Risaldar Pallivasal filed an appeal in C.M.A.No.12 of 2009, on the file of Sub Court, Sivagangai. The said appeal was allowed in favour of the Sheik Imam Risaldar Pallivasal and the respondents were directed to grant patta to the said Sheik Imam



W.P.(MD) No.9143 of 2022

Risaldar Pallivasal in respect of S.No.236/1 with an extent of 0.96.50 hectares, excluding the prayer place mentioned above. Aggrieved by the said order, the 6th respondent preferred a revision in C.R.P.(MD)No.798 of 2014 and the same was dismissed on 20.04.2021 with liberty to challenge the order passed in the Civil Miscellaneous Appeal by way of STA. Thereafter, the 6th respondent filed an appeal in S.T.A.No.1 of 2021 and the same is pending on the file of this Court. In such circumstances, the petitioners' father filed the present Writ Petition seeking direction to the respondents to issue patta in the name of the Sheik Imam Risaldar Pallivasal as per the judgment and decree passed in C.M.A.No.12 of 2009 on the file of Sub Court, Sivagangai.

4. Admittedly, even as per the case of the petitioners, the judgment and decree passed in C.M.A.No.12 of 2009 is challenged before this Court in S.T.A.No.1 of 2021. Therefore, the subject matter of dispute in this Writ Petition has to be decided in the STA. Before the judgment and decree passed in favour of Sheik Imam Risaldar Pallivasal attains finality, the petitioner ought not have rushed to this Court with this prayer. Therefore, this Court is not inclined to issue any positive direction to the respondents.



W.P.(MD) No.9143 of 2022

WEB COPY 5. Accordingly, this Writ Petition is dismissed with liberty to the petitioners to approach the revenue authorities, after disposal of S.T.A.No.1 of 2021. It is also open to the petitioners to move appropriate application in the pending S.T.A. There shall be no order as to costs.

12.08.2025

vsm

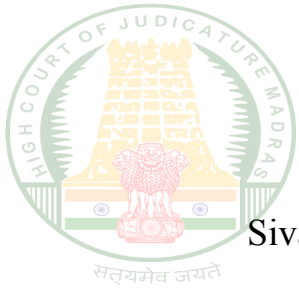
Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

To

1. The Commissioner of Land Administration,
O/o.Commissioner of Land Administration,
Chepauk,
Chennai 5.
2. The District Collector,
O/o.District Collectorate,
Sivagangai.
3. The District Revenue Officer,
O/o. District Revenue Office,
Sivagangai.
4. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Devakottai, Sivagangai District.
5. The Thasildhar,
Thirupathur Taluk,



W.P.(MD) No.9143 of 2022

Sivagangai District.

6. The President,
Periyapallivasal Jamath Committee,
Thirupathur, Sivagangai District.

S.SOUNTHAR, J.

vsm

W.P (MD) No.9143 of 2022

12.08.2025