



W.P.(MD)No.9009 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2025

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

W.P.(MD)No.9009 of 2025

R.Viji @ Appadurai

: Petitioner

Vs.

1.The Revenue Divisional Officer,
RDO Office,
Thanjavur District.

2.The Thasildhar,
Thasildhar Office Boothalur,
Thanjavur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's recent representation dated on 20.01.2025 and to issue necessary Chitta Adankal in respect of agriculture property comprised in SR.Nos. 21/6, 62C, 27/10, 92/2, 3, 108/2, 109/1, 66/5, 164B3, 5, 6, 153/6, 150/2, total extent of 7 acres situated in Vinnamangalam Village, Boothalur Taluk, Thanjavur District belongs to the petitioner and cultivating by the petitioner for the past 40 years for enabling to get insurance and benefits from the government.



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For Petitioner : Mr.A.Senthilkumar
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner has sought for issuance of Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 20.01.2025 and to issue chitta and adangal to the petitioner, for enabling the petitioner to avail of insurance and other benefits.

2.I have heard the learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents

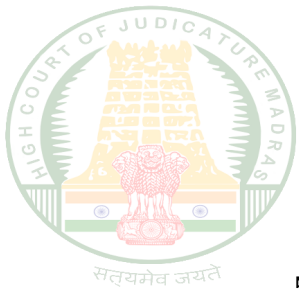
3.The learned Counsel for the petitioner would take me through the affidavit filed in support of the writ petition as well as the documents enclosed by way of typed set of papers. According to the learned Counsel for the petitioner, the petitioner's mother who was blessed with six children, three sons and three daughters, chose to execute the settlement deed in favour of three sons and one daughter. The other two daughters were compensated in monetary terms. The petitioner was settled with a particular piece of land and similarly, the petitioner's brother was allotted a similar piece of land through a settlement deed and the settlement deed was registered



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on the same day on 08.10.2004. According to the petitioner, the petitioner is in continuous physical possession and enjoyment and the petitioner was carrying on agricultural operation through his lessor and now the petitioner himself is cultivating. However, despite a specific property allotted to the petitioner's brother, the grievance of the petitioner is that the said property of the petitioner was alienated by the petitioner's brother and fraudulently, the property which was settled on the petitioner has been gifted to the petitioner's brother's wife by the petitioner's brother, based on which, the petitioner's brother has also mutated the revenue records in his favour.

4.Learned Counsel for the petitioner would further submit that the petitioner has already moved the Civil Court, seeking cancellation of the fraudulent Gift Deed executed by his brother in favour of his wife. At the same time, the petitioner has also moved Criminal Original Petition, for protecting his possession. The said criminal Original Petition was disposed of, with a direction to the parties to approach the concerned Court, where the civil suit is pending and directed the police authorities not to enter into the domain of possession of property. Now, the petitioner seeks for issuance of chitta and adangal, based on actual possession being with him.



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5.Considering the above and also pendency of the suit filed by the petitioner herein, seeking declaration of the settlement deed to be null and void, the respondents are directed to conduct spot / field inspection and if the authorities are satisfied that petitioner is carrying out cultivation and he is in actual possession, the respondents shall issue necessary revenue records, indicating that the petitioner is carrying out the agricultural operations on site and it is not necessary for the respondents to remove the name of the petitioner's brother, since that will be subject to the out come of the civil suit. Only on finding that the petitioner is in actual possession of the property, the respondents shall issue chitta and adangal, replacing the name of Murugesan with the petitioner's name. It is made clear that the mutation of revenue records in the name of the petitioner shall be only subject to the final outcome of the civil suit.

6.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

02.04.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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P.B.BALAJI., J.

MR

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