



W.P.(MD)No.9406 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.9406 of 2025

K.Murugan

... Petitioner

Vs.

The Tahsildar,
Taluk Office,
Tirupparankunram Taluk,
Thirunagar,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to dispose of our representation in Na..Ka.No.4778/24/B, dated 20.11.2024 and 22.03.2025 and issue patta by including the names of our family members mentioned in the representation, dated 22.03.2025 based on the Civil Court judgments within time framed.

For Petitioner : Mr.G.Rajaram

For Respondent : Mr.M.Lingadurai
Special Government Pleader



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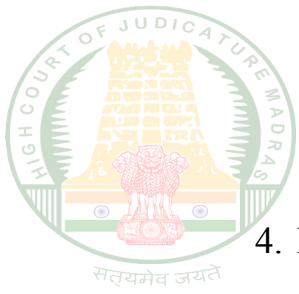
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ORDER

The petitioner has sought for issuance of joint patta based on the decree of the Civil Court in a suit for partition which also came to be confirmed by this Court in A.S(MD)No.196 of 2011 by a judgment and decree, dated 06.11.2024. It is only subsequent to the said judgment of this Court, the petitioner has sought for joint patta by making a representation on 20.12.2024 and again on 22.03.2025.

2. Heard the learned counsel for the petitioner, the learned Special Government Pleader for the respondent as well as the learned counsel who intervenes on behalf of the appellant in A.S(MD)No.196 of 2011.

3. The learned counsel for the appellant in A.S.No.196 of 2011 submits that though he has not been made a party, he is an interested party in the proceedings since he was the 1st defendant in the partition suit and the appellant in A.S(MD)No.196 of 2011 and therefore, his objections should also have to be considered before issuing patta.



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4. I have gone through the records. The writ petitioner is the son of the 1st plaintiff in O.S.No. 63 of 2008 before the Additional District Judge, Fast Track Court III, Madurai. The suit has been decreed and a preliminary decree has been granted. Admittedly, even the said Pitchai who is now proposing to object to issuance of joint patta is also entitled to a share and naturally while issuing joint patta, name of the said Pitchai will also be reflected. Therefore, there can be no objection for the said Pitchai for issuing a joint patta. If at all the petitioner seeks separate patta, then the said Pitchai may certainly have objections which will have to be considered.

5. However, considering that pending final decree proceedings, the petitioner only seeks for issuance of joint patta, there can be no impediment for the authorities. However, the authority shall ensure that the joint patta shall include the names of all persons who are entitled to share in the preliminary decree. It is made clear that since the request is only for issuance of joint patta, the authorities cannot deny or delay issuance of joint patta citing pendency of final decree proceedings. The Joint patta shall be issued within a period of eight (8) weeks from the date of receipt of copy of this order.



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WEB COPY 6. With the above direction, this Writ Petition stands disposed of. No costs.

04.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no

gbg

To:

The Tahsildar,
Taluk Office,
Tirupparankunram Taluk,
Thirunagar,
Madurai District.



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P.B.BALAJI, J.

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