



W.P.(MD) No.9435 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.9435 of 2024

A.Chinnammal

... Petitioner

vs.

1.The District Collector,
Tiruchirappalli District.

2.The District Revenue Officer,
Tiruchirappalli,
Tiruchirappalli District.

3.The Tahsildar,
Thiruvarumpur Taluk,
Tiruchirappalli District.

4.The Village Administrative Officer,
Venkur Village,
Tiruvarumpur Taluk,
Thiruchirappalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to issue patta for the land bearing S.No.97/2 and 99 situated in Manajathidal Village, Thiruverumbur Taluk, Tiruchirappalli District and considering the petitioner's representation, dated 16.02.2024 within the time frame fixed by this Court.



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For Petitioner : Mr.R.Mathava Selvam

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the third respondent to issue patta to the petitioner in respect of the lands in S.No.97/2 and 99 in Manajathidal Village, Thiruverumbur Taluk, Tiruchirapalli District. The petitioner has also given a representation to the authorities in this regard on 16.02.2024.

2.The petitioner claims rights under the Court auction sale and possession being with the petitioner for the past eight decades. The grievance of the petitioner is that her application for patta is not being considered. The petitioner also states that after the sale certificate was issued in favour of the petitioner's father, the legal heirs executed a mortgage deed in favour of one Arulmary in the year 1971. Thereafter, the petitioner filed a suit in O.S.No.778 of 1992 before the Principal District Munsif Court, Tiruchirapalli, seeking for redemption of the said mortgage deed. The said suit was dismissed against her, against which, she preferred an appeal in A.S.No.100 of 2000 before the II Additional Subordinate



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Court, Tiruchirappalli and the same was also dismissed, confirming the order of the trial Court. Aggrieved over the same, the petitioner preferred S.A(MD)No.924 of 2006 and this Court allowed the second appeal on 25.02.2020 by setting aside the judgment and decree of both the Courts below and also decreed the suit in O.S.No.778 of 1992. It is the further case of the petitioner that subsequent to the disposal of the second appeal, E.P.No.80 of 2020 was also filed and the petitioner has taken possession in the said execution proceedings and has been in physical possession, ever thereafter.

3.The learned Special Government Pleader appearing for the official respondents, on instructions, would submit that all the revenue records are mutated in the name of Arulmigu Sri Renganathasamy Temple, Srirangam and therefore, the petitioner's request for patta cannot be entertained. He would further submit that in all the previous litigations on which the petitioner relies, the said temple was never a party.

4.However, considering the fact that the petitioner only seeks disposal of her representation dated 16.02.2024 for issuance of patta based on the sale deed issued by the Court in favour of her father and other related documents, it would suffice to direct the third respondent/Tahsildar to conduct an enquiry on the



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petitioner's application, after affording not only an opportunity to the petitioner but also Arulmigu Sri Renganathasamy Temple, Srirangam and shall, thereafter pass final orders on merits and in accordance with law, with regard to the entitlement of the petitioner for mutation of patta in her name. The said exercise shall be carried out within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. No costs.

10.03.2025

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NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

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P.B.BALAJI, J.

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