



W.P.(MD)No.9806 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **P.B.BALAJI**

W.P.(MD)No.9806 of 2025

Saraswathi @ Veerakkal

... Petitioner

vs.

1.The District Collector,
Madurai.

2.The Revenue Divisional Officer,
Usilampatti, Madurai District.

3.The Thasildhar,
Peraiyur Taluk, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 2 and 3 to consider the petitioner's representation dated 08.03.2025 and issue a Patta in favour of petitioner and legal heirs of the Sangili Thevar on the basis of the judgment and Decree of the O.S.No.46/2014 on the file of the District Munsif Court, Peraiyur dated 04.03.20214.

For Petitioner :Mr.O.D.Rajkumar

For Respondents :Mr.S.Kameswaran

Government Advocate



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ORDER

Heard Mr.O.D.Rajkumar, learned Counsel appearing on behalf of the petitioner and Mr.C.Kameswaran, learned Government Advocate appearing on behalf of the respondents.

2.The petitioner has made a request for issuance of patta based on the decree of the competent Civil Court in O.S.No.46 of 2014. The petitioner's grievance is that the petitioner's request, dated 08.03.2025, for issuance of patta is not acted upon citing the pendency of A.S.No.21 of 2024 before the Sub Court, Thirumangalam.

3.I have have gone through the records.

4.Admittedly, the suit in O.S.No.46 of 2014 was dismissed in favour of the Writ Petitioner as early as on 04.03.2024. It is also admitted that a first appeal has been preferred, aggrieved by the dismissal of O.S.No.46 of 2024 by the plaintiff, namely, one Selvi. The said appeal suit is pending.



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5.It is made clear that as long as there is no interim order operating against issuance of patta to the Writ Petitioner, there can be no impediment for the respondents to issue patta to the petitioner. Mere pendency of the appeal in A.S.No.21of 2024 shall not be cited as a reason for rejecting or postponing the request of the petitioner. The respondents shall conduct due enquiry and pass orders on the petitioner's application for issuance of patta within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that any issuance of patta shall be subject to result of final decision in A.S.No.21 of 2024.

6.The Writ Petition is disposed of accordingly. No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

15.04.2025

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P.B.BALAJI, J.

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