



W.P.(MD)No.10052 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

WP(MD)No.10052 of 2025

Chelleeswari

... Petitioner

Vs.

The Thasildar

Madurai South,

Madurai District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by respondent in DR - 2025/24/12/006906SD dated 19.02.2025 on the separate patta application of the petitioner to quash the same as illegal and arbitrary and consequently direct the respondent to issue separate patta to the petitioner within the period that may be stipulated by this Court.

For Petitioner : Mr.V.Vishnu

For Respondent : Mrs.S.Jeyapriya
Government Advocate



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ORDER

The petitioner challenges the order of the respondent dated 19.02.2025 and seeks to issue separate patta.

2. I have heard the learned counsel on either side.

3. The learned counsel for the petitioner inviting my attention to the impugned order of the respondent would submit that even though patta was issued jointly in respect of four persons, three of the co-pattadars have already alienated the property and therefore, there is absolutely no impediment for the Tashildar to issue separate patta to the petitioner. The learned counsel would also produce the true copy of the General Power of Attorney dated 24.05.2007 as well as the encumbrance certificate, to establish alienation of the co-pattadars, which were already filed before the respondent and same has not been considered.



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4. Considering the fact that the respondent has not applied his mind to the supporting material document any evidence, before passing the order on the petitioner's application, for issuance of separate patta, the order dated 19.02.2025 is quashed and the matter is remitted to the respondent for fresh consideration, after giving personal hearing to the petitioner, to file documents, if the same are not available with the respondent, and on submission of the said documents, the respondent shall pass a considered order, on merits and in accordance with law. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
LS

21.04.2025

To
The Thasildar
Madurai South,
Madurai District.

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P.B. BALAJI, J.

LS

Order made in
W.P.(MD)No.10052 of 2025

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