



W.P.(MD)No.10518 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD) No.10518 of 2025

Chinnasamy

... Petitioner

/Vs./

1.The District Revenue Officer,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Dindigul Sub Division,
Dindigul District.

3.The Tahsildar,
Nilakkottai Taluk,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue a separate patta in name of petitioner in respect of the land measuring 4 cents in New S.No.1127/18A, Sevugampatti Village, Nilakkottai Taluk, Dindigul District based on sale deed in document No.2582/2024 dated 12.11.2024 within the time stipulated by this Court.



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For Petitioner : Mr.S.Balamurugan
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents to issue separate patta in the name of the petitioner based on the registered sale deed dated 12.11.2024, registered as Document Number.2582/2024.

2.I have heard Mr.S.Balamurugan, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader for the respondents.

3.The learned counsel for the petitioner would submit that the petitioner, based on the registered sale deed, has made an application for issuance of separate patta. He would also invite my attention to the admitted position that the other pattadars have already been issued separate patta, based on their respective registered documents. However, the petitioner's request is kept pending citing pendency of a specific performance suit filed against the vendor of the writ petitioner.



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4.The learned Special Government Pleader for the respondents, on instructions, would submit that since a civil suit is pending, the authorities are hesitant to consider the petitioner's application for separate patta.

5.I have carefully considered the submissions advanced by the learned counsel on either side.

6.Admittedly, only a civil dispute is pending in a suit for specific performance in O.S.No.346 of 2013 before the Sub Court, Dindigul. The suit for specific performance will not come in the way of the title, which has been acquired by the writ petitioner under registered sale deed. The agreement holder doesn't have any vested right in the immovable property, until and unless he succeeds in the suit for specific performance and is able to successfully get the decree executed. Therefore, I see no impediment for the authorities to process the petitioner's online application for issuance of separate patta.



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7. In the light of the above, the third respondent shall consider the petitioner's online application in Application No.2024/0105/13/447480 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, the Writ Petition stands disposed of. No costs.

Index : Yes / No
NCC : Yes / No
mm

17.04.2025

TO:-

1. The District Revenue Officer,
Dindigul District,
Dindigul.
2. The Revenue Divisional Officer,
Dindigul Sub Division,
Dindigul District.
3. The Tahsildar,
Nilakkottai Taluk,
Dindigul District.



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P.B. BALAJI, J.

mm

Order made in
W.P.(MD)No.10518 of 2025

Dated:
17.04.2025