



W.P.(MD)No.11441 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.11441 of 2025

and

W.M.P.(MD)No.8475 of 2025

Marimuthu.T.

... Petitioner

Vs.

1. The District Collector

Thanjavur District, Thanjavur.

2. The Revenue Divisional Officer,

Kumbakonam Revenue Division,

Thanjavur District.

3. The Thasildar

Papanasam Taluk,

Thanjavur District.

4. The District Registrar

Registration Department,

Kumbakonam Registration District,

Kumbakonam,

Thanjavur District.



W.P.(MD)No.11441 of 2025

WEB COPY

5. The Sub Registrar

Swamimalai Sub Registration Office,
Swamimalai, Thanjavur District.

6. Ambika

7. Jayachithra

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order made in O.Mu.413/2024/A3 dated 13.03.2024 issued by the 2nd respondent quash the same as illegal and consequently direct the 2nd respondent to conclude the patta proceedings with respect to SF No.3/1 an extent of 1.88 Acres and S.F. No.3/2 an extent of 65 cents of Umayalpuram Village, Papanasam Taluk, Thanjavur District based on the proceedings of the 4th respondent dated 11.08.2023 in Pa.Mu. No.4862/A/2022 within time frame as fixed by this Court.

For Petitioner : Mr.A.N.Ramanathan

For Respondents : Mr.M.Lingadurai
Special Government Pleader for R1-5

ORDER

I have heard Mr.A.N.Ramanathan, the learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents 1 to 5.



W.P.(MD)No.11441 of 2025

WEB COPY

3. The grievance of the petitioner is that despite the order of the District Registrar, setting aside the sale deeds in favour of respondents 6 and 7, confirming the entitlement of the petitioner to the subject lands, the second respondent has proceeded to reject the petitioner's request for restoration of patta in his name.

4. It is seen that though the petitioner has filed a civil suit in O.S.No.26 of 2020 and the same is pending, in the interregnum period, the petitioner has also in parallel moved the registering authorities seeking cancellation of the documents, which were bought about by impersonation, fraud etc. Taking advantage of the prevailing rules permitting the cancellation of such registered document by the registering authorities, the District Registrar also passed final orders on 11.08.2023, cancelling the registered documents in favour of the respondents 6 and 7. Therefore, though the petitioner has sought for the relief of cancellation among other reliefs in the pending O.S.No.26 of 2020, once the registered documents in favour of respondents 6 and 7, have been set aside by the District Registrar under the Registration Act



W.P.(MD)No.11441 of 2025

WEB COPY

and the same has also become final, pendency of O.S.No. 26 of 2020 cannot be cited by the second respondent, for including / restoring the name of the petitioner.

5. In the light of the above, the order passed by second respondent citing pendency of the suit as the only ground for rejecting the petitioner's request, the impugned order passed by the second respondent dated 13.03.2024 is set aside and the matter is remitted to the second respondent for fresh consideration. The petitioner shall produce all relevant documents in support of his claim and irrespective of suit in O.S.No.26 of 2020 being pending, if the second respondent is satisfied that the documents based on which the patta was mutated in the name of respondents 6 and 7 have been set aside and said the order dated 11.08.2023 has become final, the second respondent shall pass final orders, of course after issuing notice to the petitioner as well as the respondents 6 and 7. The said exercise shall be carried out within a period of eight weeks from the date of receipt of a copy of this order.



W.P.(MD)No.11441 of 2025

WEB COPY

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
NCC : Yes / No
LS
To

22.04.2025

1. The District Collector
Thanjavur District, Thanjavur.
2. The Revenue Divisional Officer,
Kumbakonam Revenue Division,
Thanjavur District.
3. The Thasildar
Papanasam Taluk,
Thanjavur District.
4. The District Registrar
Registration Department,
Kumbakonam Registration District,
Kumbakonam,
Thanjavur District.
5. The Sub Registrar
Swamimalai Sub Registration Office,
Swamimalai, Thanjavur District.



WEB COPY



W.P.(MD)No.11441 of 2025

P.B. BALAJI, J.

LS

Order made in
W.P.(MD)No.11441 of 2025

Dated:
22.04.2025