



W.P.(MD)No.11907 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

CORAM:

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

W.P.(MD)No.11907 of 2024

R.Rajakanni

.... Petitioner

/Vs./

1. The Tahsildhar  
Manamadurai, Sivagangai District.

2. Adaikalam

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in A6/1351/2024 dated on 07.05.2024 and quash the same as illegal and arbitrary and in consequence thereof direct the respondent to grant patta as per the Inam Settlement deeds in Doc.Nos. 1936/2014 and 1937/2014 dated 13.06.2014.

For Petitioner : Mr.M.Divakaran

For R1 : Mr.S.Kameswaran  
Additional Government Pleader

For R2 : Mr.G.Gomathi Sankar



W.P.(MD)No.11907 of 2024

WEB COPY

### **ORDER**

The petitioner challenges the order of the first respondent refusing to act on the petitioner's application for issuance of patta based on the registered settlement deed executed by the petitioner's mother in her favour. The only reason for rejecting the petitioner's application is in view of the objections raised by the second respondent, who is the brother of the petitioner.

2. It is the specific contention of the petitioner that the properties were given not only to the petitioner but also to the second respondent and properties are not the same but different properties. The apprehension of the second respondent is that the second respondent's mother has given the very same properties to the writ petitioner as well as the second respondent and the second respondent's settlement was pursuant to cancelling the settlement in favour of the petitioner. However, on going through the pleadings in the writ petition, I find that even though the properties in the same survey number have been settled on the petitioner as well as the second respondent, the extents are not



W.P.(MD)No.11907 of 2024

WEB COPY

tallying and they are different. It is possible that larger extent was available in the respective survey numbers and carving out portions of the different properties, with different extents, they have been settled on the petitioner and the second respondent. Therefore, merely because the second respondent has objected, the first respondent ought not to have summarily rejected the request of the petitioner for patta. The first respondent shall conduct an enquiry after hearing the petitioner as well as the second respondent, who shall be at liberty to produce all relevant documents, after considering the said documents, the claims / objections of the petitioner and the second respondent, the first respondent shall pass final orders, within a period of twelve weeks from the date of receipt of the copy of this order.

3. In view of the above, the impugned order of the first respondent dated 07.05.2024 is set aside and the writ petition is allowed. No costs.

Index : Yes / No  
NCC : Yes / No  
am

**27.03.2025**



W.P.(MD)No.11907 of 2024

WEB COPY

To

The Tahsildhar  
Manamadurai,  
Sivagangai District.



WEB COPY



W.P.(MD)No.11907 of 2024

**P.B. BALAJI, J.**

am

Order made in  
W.P.(MD)No.11907 of 2024

Dated:  
27.03.2025