



W.P.(MD)No.12961 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2025

CORAM:

THE HON'BLE MR. JUSTICE S.SOUNTHAR

W.P.(MD).No.12961 of 2023

and

W.M.P(MD)No.20694 of 2023

M.Balachandran

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Thoothukudi District.

2. The Thasildar,
Taluk Office,
Vilathikulam Taluk,
Thoothukudi District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd Respondent to issue Patta to the Petitioner's Property in survey No 278/1A1 to an extent of 89 cents of lands in Vembar Group, Vilathikulam Taluk, Thoothukudi District by way of considering Petitioner's application in Can No:133280719758619 and application No:2023/0103/28/390402 dated 16.03.2023.



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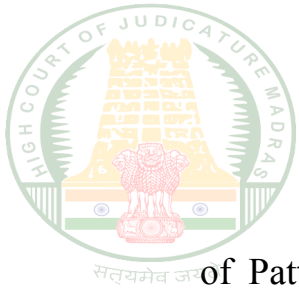
For Petitioner : Mr.D.Senthil
For Respondents : Mrs.K.Malathi
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the 2nd respondent to issue Patta in the name of the petitioner in respect of the property situated in S.No.278/1A1 with an extent of 89 cents in Vembar Group, Vilathikulam Taluk, Thoothukudi District by considering his application in Can No: 133280719758619 and application No:2023/0103/28/390402 dated 16.03.2023.

2. Heard the learned counsel appearing for the petitioner and Mrs.K.Malathi, learned Additional Government Pleader appearing on behalf of the respondents.

3. According to the petitioner, the subject property originally belongs to his mother and others and joint patta stands in the name of the petitioner's mother Thennammal and 30 others in Patta No.423. The petitioner's mother died on 13.12.2020 leaving behind the petitioner, his as legal heirs. Hence, the petitioner submitted an application for issuance



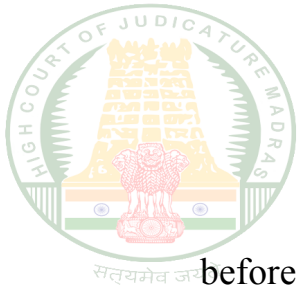
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of Patta by enclosing the death certificate and legal heir certificate on 16.03.2023. The said application has not been considered by the respondents. Hence, the petitioner has come before this Court.

4. The learned Additional Government Pleader appearing for the respondents would submit that the petitioner has not produced any documents in respect of his claim and therefore, his request has not been considered.

5. The petitioner herein seeks transfer of Patta on the death of his mother Thennammal. In the typed set of papers, he has produced the death certificate of Thennammal and legal heirship certificate of Thennammal. A perusal of the same would indicate that petitioner is the son of deceased Thennammal and he has one brother and two sisters. The acknowledgment card issued to the petitioner for having submitted an online application dated 16.03.2023 would indicate the death certificate and legal heirship certificate were uploaded along with the application. The Patta No.423 stands in the name of Thennammal and thirty others. In such circumstances, the petitioner already submitted necessary documents



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before the respondents to consider his request for Patta transfer in the place of Thennammal and Co-Pattadhars. Therefore, this Court feels there is no impediment for the respondents to consider the application submitted by the petitioner in accordance with law.

6. Accordingly, the 2nd respondent is directed to consider the application submitted by the petitioner dated 16.03.2023 in application in Can No:133280719758619 and application No:2023/0103/28/390402 and pass final orders on its own merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner, other legal heirs of the deceased Thennammal and the Co-pattadhars mentioned in Patta No.423.

7. The writ petition is disposed of with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

08.08.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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S.SOUNTHAR, J.

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