



W.P.(MD)No.15320 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :29.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.15320 of 2025
and
WMP(MD) No.11577 of 2025

P.Adaikan

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Pudukkottai.

2. The District Revenue Officer,
Office of the District Revenue Office,
Pudukkottai,
Pudukkottai District.

3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Pudukkottai,
Pudukkottai District.

4. The Tahsildar,
Thirumayam Taluk Office,
Thirumayam,
Pudukkottai District.

5. Nallammal

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorarified Mandamus, calling for the



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records pertaining to the impugned order issued by the 3rd respondent vide proceeding No.N.Mu.A4/8988/2022 dated 28.03.2025 and quash the same and issue direction to the 3rd respondent to issue a patta to the petitioner name in respect of in survey Nos.564/3, 564/4, 564/5 Thirumayam Village, Thirumayam Taluk, Pudukottai District.

For Petitioner :Mr.A.Shajahan

For Respondents :Mr.K.Balasubramani
Special Government Pleader for R1 to R4
No appearance for R5

ORDER

The petitioner assails an order dated 28.03.2025 of the Revenue Divisional Officer rejecting the request of the petitioner's father for patta transfer.

2. Learned counsel for the petitioner invited my attention to the operative paragraph of the impugned order and pointed out that it is recorded therein that the petitioner's father had requested for patta transfer in respect of Survey Nos.564/3, 564/4 and 564/5. After pointing out that such request was rejected on the ground that O.S.No.60 of 2022 is pending, he referred to the plant in the said suit and pointed out that the schedule pertains to Survey No.564/1. Therefore, learned counsel contends that the impugned order was issued on non-application of mind.



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3. Learned Special Government Pleader appears on behalf of respondents 1 to 4. At the hearing on 08.10.2025, after noticing that notice was served on the fifth respondent, the Registry was directed to print the name of the fifth respondent in the cause list. In spite of service of notice and the name being printed in the cause list, there is no representation for the fifth respondent.

4. Learned Special Government Pleader invited my attention to the relief claimed in O.S.No.60 of 2022 and pointed out that a declaration has been sought that Perumal is not the legal heir of Subban @ Subbiah and Kaliasammal. Consequently, he contends that the claim of the petitioner would depend on the outcome of the suit inasmuch as Perumal is the father of the petitioner and Perumal's claim is through Subban @ Subbiah. He also submits that such declaration, if granted, would apply not only to the suit schedule property, but to all the properties to which claim was made through Subban @ Subbiah.

5. On perusal of the plaint in O.S.No.60 of 2022, it is noticeable that Perumal is arrayed as the sixth defendant therein. The first and fourth respondents herein are defendants therein. The petitioner stakes



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the claim through Subban @ Subbiah. As contended by learned Special Government Pleader, if a decree were to be granted declaring that Perumal is not the legal heir of Subban @ Subbiah, it would have a material bearing on the petitioner's claim in respect of land in Survey Nos. 564/3, 564/4 and 564/5. Consequently, there is no infirmity in the order directing the petitioner to seek relief based on the outcome of the civil suit. In the alternative, it is open to the petitioner to file a revision petition.

6. With these observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

29.10.2025

NCC :No
Internet :Yes
Index :No
PKN



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SENTHILKUMAR RAMAMOORTHY, J.

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