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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.15322 of 2025

N.S.Mahalingam

...Petitioner

Vs

1.The District Revenue Officer,
O/o.the District Revenue Officer,
Collector Office Campus,
Thiruchirappalli.

2.The Tahsildar,
Tiruchirapalli West,
Co-Abishekapuram Zone,
Trichy.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to include the petitioner as a party to the enquiry as ordered by this Court in W.P.(MD).No. 6478 of 2024 and W.P.(MD).No.9598 of 2025, and consequently directing the 1st respondent to sub-divide and issue separate patta in the name of the petitioners by considering the petitioner's representation dated 10.05.2025 within a time frame fixed by this Court.



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For Petitioner : Mr.R.Surya Prakash

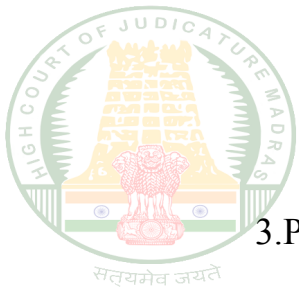
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

* * * * *

ORDER

The present writ petition has been filed seeking a mandamus as against the first respondent to include the petitioner as a party to the enquiry as ordered by the Hon'ble Division Bench of this Court in W.P(MD)No.6478 of 2024, dated 25.04.2025. The petitioner has also prayed for a consequential prayer for sub division of the land and for issuance of separate patta in favour of the petitioner.

2.According to the learned Counsel appearing for the petitioner, the property in dispute initially belonged to one Mouna Madam and the said Madam had approached the Principal District Court, Tiruchirappalli, in O.P.No. 52 of 1986, seeking permission of the Court to alienate the property to third parties. According to the petitioner, the learned Principal District Judge, Tiruchirappalli, was pleased to grant permission on 03.03.1987.



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3.Pursuant to the permission granted by the Principal District Court, Tiruchirappalli, the Madam has executed the sale deed in favour of the petitioner on 09.06.1988. From then onwards, the petitioner is making attempts to mutate the revenue records in his favour. However, he is not successful for several reasons.

4.In the meantime, one Mr.R.SenthilKumar, has filed a Public Interest Litigation before this Court in W.P(MD)No.6478 of 2024, seeking a mandamus to conduct a detailed enquiry and restore the lands belong to Arulmigu Thayumanavar Swami Temple, Tiruchirappalli, and to direct the revenue authorities to cancel the patta issued in favour of certain private respondents who were arrayed therein.

5.This Court by an order dated 25.04.2025, has disposed of the Writ Petition. Paragraph No.5, of the said order is extracted as follows:-

“In view of the above, while considering the representation of the petitioner in W.P(MD)No.9598 of 2025, we direct the District Revenue Officer, Tiruchirapalli, to also give a personal opportunity of hearing to the petitioner herein, who has filed the present Writ Petition as a Public Interest Litigation, the 9th respondent Temple, the respondents 15 to 23/impleaded



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respondents; and to any other interested parties, if any and pass appropriate orders on merits and in accordance with law, within a period of sixteen (16) weeks from the date of receipt of a copy of this order. Until the proceedings are concluded, the persons currently holding the land shall not encumber the property in any manner.”

6. According to the learned Counsel appearing for the petitioner, in the said Writ Petition, the private respondents have already been granted Patta and this Court has directed the District Revenue Officer, Tiruchirappalli, to hear those Pattadars and pass orders. According to the petitioner, though he is yet to be granted patta, he has also purchased the property from Mouna Madam after the Court order and therefore, he is also a person interested in the property. Hence, he should also be heard by the District Revenue Officer, Tiruchirappalli, while he is conducting the enquiry. With the said prayer, the present writ petition has been filed.

7. Considering the above said facts, the first respondent herein is directed to provide opportunity to the writ petitioner and consider the claim made by the petitioner in the light of the orders passed by the Principal District Court, Tiruchirappalli, in O.P.No.52 of 1986, dated 03.03.1987, and the sale deed executed in favour of the petitioner by the Madam, dated 09.06.1988, and pass orders on merits and in accordance with law.



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8. With the above said observations, this Writ Petition stands disposed of.

No costs.

11.06.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

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R.VIJAYAKUMAR, J.

RJR

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