



W.P.(MD) No.17016 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.17016 of 2025

Sahul Hameed

... Petitioner

Vs.

1. The District Revenue Officer,
Madurai.

2. The Revenue Divisional Officer,
Madurai.

3. The Tahsildar,
Madurai West,
Madurai.

4. The Executive Officer,
Arul Mighu Jeyaveera Anjaneyar Swami Temple,
Simmakkal, Madurai. ... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the first respondent to transfer the patta in favour of the petitioner with respect to the property comprised in T.S.No. 87, 348 sq.feet of ward No.8, Block No. 3, Madurai West Taluk, Madurai District, within a reasonable period of time to be stipulated by this Court.



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W.P.(MD) No.17016 of 2025

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mrs.K.Malathi
Additional Government Pleader for R1-3
: Mr.P.Mahendran
Standing Counsel for R4

ORDER

The petitioner herein seeks a direction to the first respondent to transfer the patta in favour of the petitioner in respect of the property comprised in T.S.No. 87, 348 sq.feet of ward No.8, Block No. 3, Madurai West Taluk, Madurai District, within a time stipulated by this Court.

2. Heard the arguments of Mr.P.Ganapathi Subramanian, learned counsel for the petitioner, Mrs.K.Malathi, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.P.Mahendran, learned Standing Counsel for the fourth respondent.

3. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P.(MD) No.17016 of 2025

WEB COPY

4. It is the case of the petitioner that the subject property originally belonged to one Pitchai Asari and he sold the same to one Ramasamy Naidu, S/o.Muthukrishna Naidu under registered sale deed dated 22.11.1951. Subsequently, the said Ramasamy sold the property to one Chinnammal under registered sale deed dated 03.06.1953. After demise of Chinnammal, her legal representatives sold the property in favour of Ajmalkhan and minor Kajakamal under registered sale deed dated 09.03.1963. It is further averred that under the family arrangement, the property was allotted to the share of Kajakamal, who is the petitioner's father, on 14.12.2001. The petitioner's father Kajakamal executed registered settlement deed in favour of the petitioner on 05.09.2017. Thus, the petitioner alleged to have been in possession and enjoyment of the subject property. It is further stated that the patta for the property was wrongly mutated in favour of the fourth respondent temple. Therefore, the petitioner submitted a representation before the respondents, seeking transfer of patta, on 16.04.2025. The said application has not been considered. Hence, the petitioner has approached this Court.



W.P.(MD) No.17016 of 2025

WEB COPY

5. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the representation submitted by the petitioner will be considered on its own merits by the first respondent, before whom the matter is pending as on today.

6. The learned Counsel appearing for the fourth respondent would submit that the property belongs to the fourth respondent temple and hence, the request of the petitioner for transfer of patta is to be dismissed.

7. In view of the rival claim made by the petitioner and the fourth respondent, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation of the petitioner dated 16.04.2025 and pass final orders on its own merits within a period of twelve weeks from the date of receipt of a copy of this order, after affording reasonable opportunity to the petitioner and the fourth respondent.



W.P.(MD) No.17016 of 2025

WEB COPY

8. With the above direction, this Writ Petition is disposed of.

No costs.

25.06.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
LS

To

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2. The Revenue Divisional Officer,
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3. The Tahsildar,
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Madurai.
4. The Executive Officer,
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