



W.P.(MD)No.15898 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.15898 of 2023

and

W.M.P.(MD).No.13314 of 2023

R.Venkatraman

... Petitioner

Vs.

- 1.The District Revenue Officer,
Madurai.
2. The Revenue Divisional Officer,
Thirumangalam, Madurai.
3. The Tahsildar
Thirupparankundram, Madurai.
4. The Corporation Commissioner
Madurai Municipal Corporation,
Madurai.
5. The Sub-Registrar Joint IV,
Palanganatham, Madurai.
6. Mohamed Rafik. M
- 7.V.S.Mahalingam
8. Punithavathi. M
9. Thangaraj. R



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10. Periyasamy. K

11. Sekar. K.S

12. Kandasmay. A.M

13. M.Mohamed Ibramsha,.

14. Majjithinnoor Mother Terasa School,
(Sunnath Val Jama Ath) (Mutha)
Rep. by its Secretary,
A.Sahul Hameed,

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to cancel the entry made in the TSLR in respect of Survey No. 251/3 and Patta No. 105 at Madakulam Village, Madurai, based on the order passed by the 1st respondent in his proceedings Na.Ka.No. 74043/2013/G2 dated 29.10.2014 considering the representation dated 10.05.2023 preferred by the petitioner within the period that may be stipulated by this Court.

For Petitioner : Mr.V.P.Rajan

For Respondents : Mr.C.Satheesh
Government Advocate for R1 to R3, R5
: Mr.K.Sivabalan For R4
: Mr.S.Muthumalai Raja For R6
: Mr.R.Devaraj For R7 to R12
: Mr.A. Nawazkhan For R13
: No Appearance for R14



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ORDER

I have heard Mr.V.P.Rajan, the learned counsel appearing for the petitioner, Mr.C.Satheesh, learned Government Advocate appearing for the respondents 1 to 3 & 5, Mr.K.Sivabalan, learned counsel for the fourth respondent, Mr.S.Muthumalai Raja, learned counsel for the sixth respondent, Mr.R.Devaraj, learned counsel for the respondents 7 to 12 and Mr.A.Nawazkhan, learned counsel appearing for the 13th respondent.

2. The writ petition has been filed by the writ petitioner aggrieved by the non consideration of the representation dated 10.05.2023, seeking cancellation of the entries made in the TSLR by the respondents 1 to 4, in violation of the order of the first respondent in proceedings Na.Ka.No. 74043/2013/G2 dated 29.10.2024.

3. I have heard the learned counsel for the parties. The admitted case of the parties is that originally the lands belonged to one Theerthan, who was blessed with two sons, viz., Ramaswamy and Alagu Kudumban. The petitioner claims right under his father, viz., Rajendran, who is the



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son of Ramaswamy. It is the case of the petitioner that the subject property was allotted by his grandfather in favour of his son Ramaswamy. However, the private respondents contested the said case advanced by the petitioner and state that the share of Alagu Kudumban came to the hands of Ammachi Ammal, pursuant to the settlement deed executed by the other surviving legal heir, Lakshmi and thereafter Ammachi Ammal has sold the property in favour of the 7th respondent and similarly, as well, to the other private respondents under registered sale deeds. Based on the registered sale deeds in their favour, the private respondents have sought for mutation of records and the respondents have proceeded to include their names in the joint patta, which was originally standing in the name of Ramaswamy and Alagu Kudumban.

4. The petitioner's grievance is that when the District Revenue Officer had already passed an order in 2013, directing the parties to approach the Civil Court and also directed maintaining status quo, it is the grievance of the petitioner that he said direction to maintain status quo has been grossly violated by the private respondents.



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5. I find merit in the contention of the learned counsel for the petitioner and in any event, since the prayer sought for is only for issuance of writ of mandamus, the first respondent shall conduct an enquiry, based on the petitioner's request for cancellation of patta alleging disobedience of the order of the first respondent in the proceedings of the year 2013 and after hearing the petitioner as well as the private respondents and also after affording fair opportunity, to them to present their respective claims / objections, the first respondent shall pass final orders on the petitioner's application for cancellation of patta, taking into account any alienation that has been made by the petitioner himself, within a period of twelve weeks from the date of receipt of a copy of this order.

6. In fine, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
NCC : Yes / No
LS

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P.B. BALAJI, J.

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Order made in
W.P.(MD)No.15898 of 2023
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Dated:
10.03.2025