



W.A(md)No.631 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:11.12.2025

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

WA(MD)No.631 of 2024

and

L.P.A(MD)Nos.2 and 3 of 2024

and

C.M.P(MD)Nos.4434, 5587 and 5843 of 2024

W.A(MD)No.631 of 2024

1.M/s.Annamalaiar Mills (P) Limited

Represented by its Manager,

K.Adhibalamoorthi

Begambur Post,

Vellodu Village,

Dindigul District.

2.I.Arockiyam

3.Joseph(died)

4.Exhilarasi Irudaya Shanthi

5.Reshma

6.Jenove Joshma

(A4 to A6 are brought on record

as Lrs of the deceased 3rd appellant

vide Court order dated 11.12.2025)

... Appellants/3rd Parties

Vs.

A.G.Shankar

...1st Respondent/Writ Petitioner



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2.The District Collector,
Dindigul District,
Dindigul.

3.The District Revenue Officer,
District Revenue Office,
Dindigul District, Dindigul.

4.The Revenue Divisional Officer,
Dindigul,
Dindigul District.

5.The Tahsildar,
Dindigul East Taluk,
Dindigul District,
Dindigul.

6.The Assistant Director of Survey & Settlement Officer,
Office of Assistant Director of Survey & Settlement,
Dindigul District,
Dindigul.

...2 to 6 Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 30.11.2021 passed by this Court in W.P(MD)No.16373 of 2014.

For A1	: Mr.K.R.Manimaran
For A2,A4toA6	: Mr.I.Romeo Roy Alfred
For A3	: Died
For R1	: Mr.K.Govindarajan for Mr.T.Palanisamy
For R2 to R6	: Mr.Veera Kathiravan, Additional Advocate General assisted by Mr.S.R.A.Ramachandran, Additional Government Pleader



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LPA(MD)No.2 of 2024

Vasanthamary

...Appellant/Third Party

Vs.

1.A.G.Sankar
2.Ms.Tamilselvi
3.Jhon Britto

..First Respondent/Contempt Petitioner
... Respondents

PRAYER:- Letters Patent Appeal filed under Section 15 of the Letters Patent Act, against the order passed in Cont.P(md)No.1765 of 2023 dated 29.02.2024 by this Court.

For Appellant : Mr.Mr.I.Romeo Roy Alfred
for M/s.R.Vinodhini

For R1 : Mr.K.Govindarajan
for Mr.T.Palanisamy

L.P.A(MD)No.3 of 2024

Felix John Baskar

...Appellant/Third Party

Vs.

1.A.G.Sankar
2.Ms.Tamilselvi
3.Jhon Britto

..First Respondent/Contempt Petitioner
... Respondents/Respondents

PRAYER:- Letters Patent Appeal filed under Section 15 of the Letters Patent Act, against the order passed in Cont.P(md)No.1765 of 2023 dated 29.02.2024 by this Court.



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For Appellant : Mr.Romeo Roy Alfred
for M/s.R.Vinodhini
For R1 : Mr.K.Govindarajan
for Mr.T.Palanisamy

JUDGMENT

(Judgment of the Court was delivered by DR.G.JAYACHANDRAN,J.)

The writ appeal in W.A(MD)No.631 of 2024 is directed against the order passed by the learned single Judge in W.P(md)No.19285 of 2022 vide order dated 15.02.2023.

2.The writ petition was filed seeking Mandamus to the second respondent to measure the land situated in S.Nos.11/2, 36/1, 34/1, 34/3 and 383/1,2 etc., at Vellodu Village, Dindigul and to issue separate joint holding and fix the meets and bounds in respect of the portion of the petitioner's share. The learned single Judge had passed the following order:

“2.The petitioner wants this Court to direct the fourth respondent to survey the petition mentioned lands and based on the survey result issue independent patta. The prayer is not contested by the respondents. They only seek time. The said request made by the respondents cannot be rejected. I direct the fourth respondent to complete survey of the petition mentioned lands within a period of five months from the date



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of receipt of a copy of this order. Based on the survey result, patta shall be issued in favour of the petitioner immediately thereafter.”

3.The writ appeal filed by the third parties/appellants stating that the writ petitioner is not the absolute owner of the land, he and others are the title holders. While so, without impleading him and others as party in the proceedings, the writ petitioner viz., A.G.Sankar had obtained an order behind the back to survey the land as well as to issue patta in favour of the petitioner.

4.This Court, on perusal of the impugned order, finds that it is patently illegal, since the transfer of patta without conducting enquiry is not permissible under law. Moreover, it has now been brought to the notice of this Court that there are other title holders, and the patta stands in their names. Therefore, the order of the learned single Judge is set aside in respect of issuing patta. It is brought to the notice of this Court that yet another third party, by name John Britto approached this Court by filing a writ petition in W.A(MD)No.2006 of 2023. The division bench of this Court, vide order, dated 22.11.2023, had relegated the parties to settle the title dispute by approaching the civil Court. As regards the survey of the land, it has been



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made clear that there is no impediment for the authorities to proceed. In other words, the Division Bench declined the relief of granting patta in favour of the writ petitioner. In order to maintain uniformity and judicial discipline, this Court, therefore, follows the judgment of the Division Bench passed in W.A.(MD) No.2006 of 2023 dated 22.11.2023, since the said order is applicable to all third parties, who have approached the Court either by way of appeal or LPA. Since it is a judgment in rem, the LPA.Nos.2 and 3 of 2024 are also allowed. No order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.J., J.] & [K.K.R.K., J.]
11.12.2025

Index :Yes/No
Internet :Yes
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