



W.P.(MD)No.17980 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.11.2025

CORAM:

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.(MD).No.17980 of 2019

C.Suresh Raman Nadar

... Petitioner

Vs.

1. The Executive Officer,
Manavalakurichi Panchayat,
Manavalakurichi,
kanyakumari District.

2. Ayyappan

3. Abdhul Salam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Mandamus directing the 1st respondent to consider the petitioners representation dated 06.08.2019 and pass appropriate orders regarding the property tax assessment in Door.Nos. 12-1, 12-1A, 12/85, 12/86 and 12/87 in New Survey No.409/9 Manavalakurichi village, Kalkulam Taluk, Kanyakumari District.

For Petitioner	: Mr.V.Meenakshisundaram
For R1	: Mr.A.Kannan Additional Government Pleader
For R2	: No Appearance
For R3	: Mr.A.Balakrishnan



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ORDER

The above writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Mandamus directing the 1st respondent to consider the petitioners representation dated 06.08.2019 and pass appropriate orders regarding the property tax assessment in Door.Nos.12-1, 12-1A, 12/85, 12/86 and 12/87 in New Survey No.409/9 Manavalakurichi village, Kalkulam Taluk, Kanyakumari District. ”

2. The facts as set out in the affidavit filed in support of the writ petition reads as follows:-

The petitioner would submit that the property comprised in Door.Nos.12-1, 12-1A, 12/85, 12/86 and 12/87 in New Survey No.409/9, measuring an extent of 10.8 cents situated at Manavalakurichi Village, Kalkulam Taluk, Kanyakumari District was purchased by the petitioner's father Chellathanga Nadar and his brother Thangamani Nadar from one Syed Mohamed Kannu vide registered Sale Deed dated 15.04.1963. In the said sale deed, the total extent of land purchased is indicated as 77 cents. While so, the petitioner's paternal uncle namely Thangamani Nadar had passed away on 14.10.2005, without any issues. At this juncture, the 2nd



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respondent namely Ayyappan claims to have purchased the above mentioned subject property from the deceased Thangamani Nadar vide Sale Deed dated 15.07.2004, 17.11.2004 and 31.03.2005. Thereafter, the petitioner's father namely Chellathanga Nadar died. Subsequent to his death, the properties belonging to the said Chellathanga Nadar had been sub-divided and partitioned between his legal heirs vide registered partition deed dated 05.11.2007. By a partition deed dated 05.11.2007, the subject property viz., Door.Nos.12-1, 12-1A, 12/85, 12/86 and 12/87 in New Survey No.409/9 had been allotted to the petitioner and the revenue records also stands in the name of the petitioner. Since then the petitioner has been in peaceful possession and enjoyment of the subject property to date. He would submit that the patta to the subject property stands jointly in the name of the petitioner's father namely Chellathanga Nadar, his brother namely Thangamani Nadar, the petitioner and others in Patta.No. 5174.

3. At this juncture, the 2nd respondent had changed the property tax assessment in respect of the property in Door Nos.12/85, 12/86 and 12/87 alone in his favour, which constrained the petitioner to file a suit for



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permanent injunction in O.S.No.131 of 2014 on the file of the Principal District Munsif Cum Judicial Magistrate Court at Eraniel and the suit for relief of declaration in O.S.No.71 of 2016 on the file of the Principal Sub Court, Padmanabapuram. The said suit was renumbered and transferred to the Sub Court, Eraniel as O.S.No.35 of 2018.

4. During the pendency of the civil suit, the 2nd respondent had created forged/bogus documents in respect of the subject property and executed a sale deed in favour of the 3rd respondent in Marthandam Sub Registrar Jurisdiction.

5. In this connection, the petitioner has made a complaint before the Inspector General of Registration and based on the complaint, the officer concerned was suspended. However, based upon the said forged/bogus documents, the 3rd respondent has managed to include his name in Patta No.5174. Therefore, the petitioner has made a representation dated 13.06.2019 to rectify that mistake, however, the same was not considered. Aggrieved by the same, the petitioner has filed a writ petition.



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6. Thereafter, the petitioner has sent a representation to the respondents on 06.08.2019, however, the same has not been considered by the respondents. Hence, the petitioner has filed the present writ petition.

7. The learned counsel appearing for the 3rd respondent would submit that the civil suits are pending and therefore, he seeks to dismiss the writ petition.

8. Heard the learned counsel for either sides.

9. Considering the facts and circumstances of the case, the 1st respondent is directed to consider the representation of the petitioner dated 06.08.2019 and pass appropriate orders on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order. The 1st respondent shall also take into consideration the patta has been changed pending the civil suit.



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10. With the above observations, the writ petition stands allowed.

No costs.

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NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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To

The Executive Officer,
Manavalakurichi Panchayat,
Manavalakurichi,
kanyakumari District.



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P.T.ASHA, J.

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