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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2025

CORAM

THE HON'BLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)No.17742 of 2025

and

W.M.P(MD)Nos.13554 & 13555 of 2025

Deenathayalapandian

... Petitioner

Vs

1.The District Collector,
O/o.The District Collector,
Dindigul District, Dindigul.

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Kodaikanal,
Dindigul District.

3.The Tahsildar,
Kodaikanal Taluk,
Dindigul District, Dindigul.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a **Writ of Certiorarified Mandamus** calling for the records relating to the order passed by the 3rd respondent in his proceedings in Na.Ka.No. 1150/2025/S, dated 18.06.2025, and quash the same as illegal and consequently directing the 3rd respondent to sub-divide the land to an extent of 0.75 cents comprised in S.No.762/1A1A, Vilpatty Village, Kodaikanal Taluk, Dindigul District, and issue the patta in the name of the petitioner *qua* the said land on the strength of the sale deed dated 10.06.2005, executed in favour of the



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petitioner registered as Doc.No.544 of 2005, on the file of the Sub-Registrar, Kodaikanal, within the period that may be stipulated by this Court.

For Petitioner : M/s.S.Mamtha
for M/s.Ajmal Associates

For Respondents : Mr.A.Baskaran
Additional Government Pleader

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ORDER

This Writ Petition is filed challenging the order passed by the third respondent rejecting the request of the petitioner seeking issuance of patta in the suit.

2.The subject property is situated in S.No.762/1A1A, in Vilpatty Village, Kodaikanal Taluk, Dindigul District, was originally assigned in favour of one S.Abbas, S/o.Seguvar Ravuthar on 06.08.1984. Subsequently, he sold the property in favour of one Saritha, D/o.Tirupathi Reddy, under the sale deed dated 06.04.1995. The said Saritha, along with two others sold the property in favour of the petitioner Deenathayalapandian, under sale deed dated 10.06.2005. Based on the said documents, the application has been filed by the petitioner seeking for mutation of the revenue records. The request of the petitioner was rejected by the third respondent mainly on the ground that initial



sale by the assignee was made without getting prior sanction from the assigning authority.

3.The learned Counsel for the petitioner by drawing attention of this Court to the recitals in the sale deed executed by original assignee in favour of the petitioner's vendor, would submit that the original assignee obtained prior sanction from the Revenue Divisional Officer, Kodaikanal, dated 03.04.1995, vide proceedings No.K.Dis.No.41/1045/1995.

4.Therefore, the learned Counsel submitted that the original assignee sold the property to the petitioner's vendor only after getting sanction from the Revenue Divisional Officer and therefore, the impugned order passed by the third respondent is vitiated by non-consideration of the material documents produced before him. It is not in dispute that the assignee of the property can sell the assigned land in favour of the third party after 10 years with permission from the assigning authority. As seen from the recitals in the sale deed executed by the original assignee, they obtained sanction from the Revenue Divisional Officer, Kodaikanal, on 03.04.2015, and then executed a sale deed on 06.04.1995, in favour of the petitioner's vendor Saritha. This vital facts have not been considered by the third respondent while rejecting the request of the



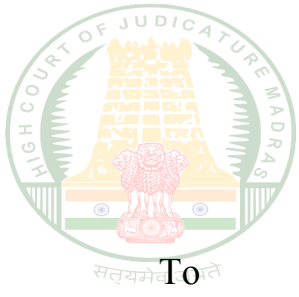
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petitioner. Therefore, impugned order is set aside and the matter is remitted back to the file of the third respondent with a direction to consider the request of the petitioner afresh in the light of the recitals found in the sale deed, dated 06.04.1995, executed by the original assignee, namely, S.Abbas, in favour of the petitioner's vendor and final orders on its own merits, shall be passed within a period of 12(twelve) weeks from the date of receipt of a copy of this order, after affording reasonable opportunity to the petitioner.

5.Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are also closed.

18.08.2025

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



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- To
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S.SOUNTHAR, J.

RJR

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