



W.P.(MD)No.4836 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

WP(MD)No.4836 of 2016

1. Manivel (Died)

2. Kalarani

3. Ragunath

4. Ravina

5. Ramu

(Petitioners 2 to 5 are substituted vide court order dated 21.08.2024 in WMP(MD)No.16625/2024)

... Petitioners

Vs.

1. The District Collector

Trichy District. Trichy.

2. The District Revenue Officer

Trichy.

3. The Revenue Divisional Office,

Lalgudi, Trichy District.

4. The Tahsildar

Lalgudi Taluk, Trichy District.

5. Sebastian,

6. Prakasam,

(R6 is impleaded vide Court order dated 05.06.2023 in WMP(MD)No.7087/2023)

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, To issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings in Ni.Mu/Aa5/32392/ 2014 dated 07.12.2015 passed by the 2nd respondent quash the same and direct the 2nd respondent to issue patta to the petitioners for S.No.88/6 measuring 40 cents of Alangudi Mahajanam Village, Lalgudi Taluk, Trichy District, by rectifying the mistake committed in UDR Survey.

For Petitioners : Mr.M.Saravanan for Mr.R.Subramanian

For Respondents : Mr.S.Kameswaran
Government Advocate
for R1 to R4

: No appearance for R6

ORDER

The petitioners have challenged the order of the second respondent in Ni.Mu/Aa5/32392/ 2014 dated 07.12.2015 and consequently seek issuance of patta to the petitioners in respect of S.No.88/6 measuring 40 cents of Alangudi Mahajanam Village, Lalgudi Taluk, Trichy District.

2. Despite service of notice on the sixth respondent, the legal heir of the fifth respondent, there is no appearance. Therefore I have proceeded to hear Mr.M.Saravanan, the learned counsel appearing for the



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3. The admitted case of the parties is that originally lands belonged to one Karuppudaiyar, he having purchased the same in and by registered sale deed dated 29.07.1933. The impugned order also reflects the ownership of the said Karuppudaiyar. The second respondent has however proceeded to reject the case of the first petitioner on the ground that the first petitioner has not been able to establish his connection with the said Karuppudaiyar.

4. The learned counsel for the petitioners would contend that the registered sale deeds under which the said Karuppudaiyar purchased the property in 1933 and thereafter, when he sold to Govinda Udaiyar, maternal grandfather of the first writ petitioner on 16.04.1952, were all placed for the perusal of the second respondent and second respondent has not considered the said documents. Insofar as the legal status / relationship of the first petitioner, the learned counsel for the petitioners would invite my attention to the passport of the first writ petitioner as



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well as the voter ID of his mother, viz., Ramu, which reflects the name of his father as Balasubramanian. Ramu, who is the wife of Balasubramanian, whose names are clearly reflected not only in the Indian passport issued to the first writ petitioner but also in the Election ID card. Unfortunately, the second respondent, despite noticing the non appearance of the objectors and non production of the documents, only citing that the first petitioner has not established this link to the original owner Karuppudaiyar, has passed the impugned order.

5. However, I find from the registered documents produced by way of typed set of papers, which were also placed before the second respondent that the first petitioner has clearly established his entitlement to the subject land right from 1933 onwards, under registered sale deeds and thereafter, by way of intestate succession. The impugned order is therefore clearly unsustainable and has been passed ignoring material evidence placed before the second respondent for consideration. I am inclined to set aside the impugned order.



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6. In fine, this Writ Petition is allowed and the impugned order passed by the second respondent dated 07.12.2015 is set aside. The fourth respondent shall issue patta to the petitioners in S.No.88/6 measuring 40 cents of Alangudi Mahajanam Village, Lalgudi Taluk, Trichy District, after carrying out necessary rectification in the UDR records. The rectification shall be carried out within a period of four weeks from the date of receipt of a copy of this order and the patta shall be issued within a period of two weeks thereafter. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
LS

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To

1. The District Collector
Trichy District. Trichy.
2. The District Revenue Officer
Trichy.
3. The Revenue Divisional Office,
Lalgudi, Trichy District.



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LS

4. The Tahsildar
Lalgudi Taluk,
Trichy District.

Order made in
W.P.(MD)No.4836 of 2016

Dated:
26.03.2025