



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.19296 of 2022

and

W.M.P.(MD)Nos.14079 & 14081 of 2022

S.Rasu

...Petitioner

Vs

1. The Zonal Deputy Tahsildar,
Marungapuri Taluk, Marungapuri, Trichy District.

2.P.Semban

3.C.Ponnusamy

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records relating to the impugned proceedings of the 1st respondent in T.R.No.2016/0103/15/028714TR dated 13.09.2016 thereby changing the patta in favour of the 3rd respondent bearing Patta No.1273 and his consequential proceedings in T.R. No.2022/0103/15/294128TR dated 27.07.2022 thereby changing the Patta in favour of the 2nd respondent bearing Patta No.1504 in respect of the property comprised in S.No.139/1 measuring about 1.51.50 Hectares situated at Marungapuri Village, Marungapuri Taluk, Trichy District from the name of the petitioner in an unilateral manner and quash the same and consequently direct the 1st respondent to restore the patta in the name of the petitioner within a time frame of this court.



For Petitioner : M/s.B.Prahalad Ravi
For Respondents : Mr.P.Thambidurai
Government Advocate for R1
Mr.T.Vadivelan
for R2 & R3

ORDER

The petitioner assails two patta transfer orders dated 13.09.2016 and 27.07.2022. By the patta transfer order dated 13.09.2016, the patta in respect of land in S.No.139/1A and 139/1B was mutated in the name of the 3rd respondent Ponnusamy. By the subsequent patta transfer order dated 27.07.2022, the patta was mutated in respect of the above mentioned survey numbers in the name of the second respondent, Semban.

2. Learned counsel for the petitioner refers to the patta passbook issued to the petitioner. He also points out that the petitioner has paid taxes and placed on record the kist receipts. Without notice to the petitioner, learned counsel contends that the orders impugned herein were issued. Consequently, he contends that interference is warranted with the said orders.

3. Learned Counsel for the 2nd and 3rd respondents refutes these contentions. He refers to an order issued under the Land Ceiling Act and assigning the land in S.Nos.139/1A and 139/1B to Adaikan and Palaniammal.



He points out that the 2nd and 3rd respondents are the legal heirs of the said Adaikan and Palaniammal. He relies upon the death certificate and legal heirship certificate to substantiate this contention. In view of the fact that the land had been taken over under the land ceiling laws and thereafter assigned to Adaikan and Palaniammal, learned counsel contends that it is not necessary to issue notice to the petitioner before effecting the patta transfer. He also submits that the petitioner has assailed patta transfers after the lapse of considerable time without challenging the pattas that were issued in the names of Adaikan and Palaniammal.

4. The patta transfer order dated 13.09.2016 reflects the names of Adaikammal, Ponnusamy, Palanisamy and Adaikan as the pattadhars before such patta transfer. Pursuant to the patta transfer, the pattadhar is Ponnusamy in respect of both the survey numbers. Therefore, it appears that after the lands were assigned to Adaikan and Palaniammal, patta Nos.842 and 843 were issued in their favour in respect of land in S.No.139/1A and 139/1B respectively. By a settlement deed dated 22.08.2016, the lands were settled in favour of the 3rd respondent, Ponnusamy. The patta transfer order dated 13.09.2016 was issued on that basis. Thereafter, the land was settled by Ponnusamy in favour of his son, the second respondent. This was done under settlement deed dated 16.06.2022. The subsequent patta transfer order dated 27.07.2022 has been



issued pursuant to the second settlement. As contended by learned counsel for the 2nd and 3rd respondents, the petitioner was not issued notice because the petitioner had long ceased to be the pattadhar. It should also be noticed that the petitioner has filed O.S. No.124 of 2022 for declaration of title in respect of land in S.No.139/1 of an extent of 3.76 acres. Unless the petitioner succeeds in the said suit, the petitioner would have no basis to challenge the patta transfer in favour of the second respondent.

5. With the above observations, this writ petition is disposed of by declining to interfere with the order impugned herein. No costs. Consequently, connected writ miscellaneous petitions are also closed.

31.10.2025

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

To

The Zonal Deputy Tahsildar,
Marungapuri Taluk, Marungapuri, Trichy District.



WEB COPY



SENTHILKUMAR RAMAMOORTHY, J.

RJR

W.P.(MD)No.19296 of 2022

31.10.2025