

W.P.(MD)No.19261 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2025

CORAM :

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)No.19261 of 2025

Suseela

...Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Pudukkottai District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Pudukkottai District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Iluppur,
Pudukkottai District.
- 4.The Tahsildar,
Iluppur Taluk Office,
Pudukkottai District.
- 5.Nambigai Mary
- 6.Anna Mary

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to cancel the patta in respect of the properties comprised in S.Nos.76/1A, 77/5, 77/6A, 80/3 situated at Vittampatti Village, Viralimalai Taluk, Pudukkottai District standing in the name of Anna Mary wife of Thanis Yogu and restore the petitioner name in the above survey properties by considering the petitioner representation dated 08.04.2025 within the time stipulated by this Court.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mrs.S.Jeya Priya
Government Advocate for R1 to R4

Mr.M.Rajarajan for R6

ORDER

The Writ Petition is filed seeking a direction to the respondents to delete the name of the sixth respondent from the patta in respect of the property situated in Survey Nos.76/1A, 77/5, 77/6A and 80/3 in Vittampatti Village, Viralimalai Taluk, Pudukkottai District, by considering the petitioner's representation dated 08.04.2025.

2. Heard the arguments of Mr.B.Jameel Arasu, learned counsel appearing for the petitioner, Mrs.S.Jeya Priya, learned Government



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Advocate, who takes notice for the respondents 1 to 4 and Mr.M.Rajarajan, learned counsel, who takes notice for the sixth respondent. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, the subject property originally belonged to the petitioner's paternal grandfather Arulandu. After the death of the said Arulandu, the subject property has been in enjoyment of the petitioner's father, petitioner's aunt/fifth respondent herein and the petitioner. In the patta for the subject property, name of the sixth respondent has been erroneously included. In view of the same, the petitioner's father and the fifth respondent filed a civil suit against the sixth respondent in O.S.No.94 of 2013 on the file of the District Munsif Court, Keeranur and obtained a decree for declaration of title and injunction. Therefore, the petitioner submitted an instant representation before the fourth respondent on 08.04.2025 seeking deletion of the name of the sixth respondent from the patta based on the civil Court decree. The same has not been considered. Hence, the petitioner has come before this Court.

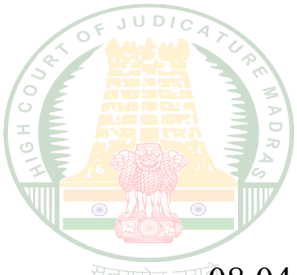


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4. The learned counsel appearing for the sixth respondent would submit that the sixth respondent challenging the decree passed in O.S.No. 94 of 2013 filed a first appeal in A.S.No.2 of 2023 on the file of the Sub Court, Keeranur and the same is pending. It is also submitted that notice for the fifth respondent, who was arrayed as one of the respondents in the appeal, is yet to be served.

5. Since the decree obtained by the petitioner is already challenged by the sixth respondent in a regular appeal, this Court is not inclined to issue any direction to the fourth respondent to mutate the revenue records immediately. However, the sixth respondent is granted six weeks time to move before the First Appellate Court seeking appropriate interim relief by filing an interlocutory application from the date of receipt of a copy of this order and on such filing, the First Appellate Court, namely, Sub Court, Keeranur shall dispose of the interlocutory application seeking appropriate interim relief within a period of five weeks thereafter. If the sixth respondent is unable to get any interim relief from the First Appellate Court within a period of six weeks, it is open to the fourth respondent to consider the representation of the petitioner dated



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08.04.2025 and pass appropriate orders for mutation of revenue records as per the civil Court decree.

6. With the above direction, this Writ Petition stands disposed of.

No costs.

17.07.2025

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

- 1.The Sub Judge,
Keeranur.
- 2.The District Collector,
Office of the District Collector,
Pudukkottai District.
- 3.The District Revenue Officer,
Office of the District Revenue Officer,
Pudukkottai District.
- 4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Iluppur,
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- 5.The Tahsildar,
Iluppur Taluk Office,
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S.SOUNTHAR, J.

csn

Order made in
W.P.(MD)No.19261 of 2025

Dated : 17.07.2025