



W.P.(MD)No.7317 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD) No.7317 of 2024
and
W.M.P.(MD) No.6742 of 2024

Ponnammal

... Petitioner

/Vs./

- 1.The District Collector,
Velunatchiar Complex,
Dindigul District.
- 2.The Superintendent of Police,
Dindigul District.
- 3.The District Revenue Officer,
O/o. District Revenue Office,
Velunatchiar Complex,
Dindigul District.
- 4.The Tahsildar,
Nilakottai (HO),
Dindigul District.
- 5.The Inspector of Police,
Land Grabbing Cell,
Velunatchiar Complex,
Dindigul District.



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6.The District Registrar,
District Registration Office,
Velunatchiar Complex,
Dindigul District.

7.The Sub Registrar,
Nilakottai Sub Registration Office,
Nilakottai (HO),
Dindigul District.

8.Erammal

9.Karuppaiah

10.Rajammal

11.Saroja

12.Meena

13.Ramuthai

14.Karuppaiah

15.Mariyanavel

16.Saroja

17.Murugan

18.Muthulakshmi

19.Pandiselvi

20.Ponnuthaai

21.Balakrishnan



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22.Pappathi

23.Murugan

24.Selvi

25.Palaniyammal

26.Kala

27.Muthupandiammal

28.Palanisamy

29.Praveenkumar

30.Eswaran

31.S.Palaniammal

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 7 to conduct an enquiry for causing mutation of illegal patta in favour of 3rd parties namely, the Respondents 8 to 30 from the petitioner's father Muthaiah Maniyam's name in respect of the land in S.Nos.466/1 and 466/19 bearing Patta No.703 situated at Nilakkottai Taluk, Dindigul District in an extent of 36 cents by invoking the relevant rules on the basis of representation given by the petitioner on 05.06.2023 in order to find out all their fraudulent activities for mutation of patta illegally and also creating forged Partition Deed dated 04.01.2011 registered as Doc.No.



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17/2011 by calling all the parties who are involved in this scam and thereupon, to cancel the illegal mutation of patta on the strength of forged partition deed dated 04.01.2011 duly registered as Document No. 17/2011, S.R.O., Nilakottai and restore the original name of the petitioner's father in the patta in revenue record or his legal heirs in respect of land in S.Nos.466/1 and 466/19 bearing Patta No.703 situated at Nilakottai Taluk, Dindigul District.

For Petitioner : Mr.V.R.Venkatesan

For R1 to R4 & R6
and R7 : Mr.M.Lingadurai
Special Government Pleader

For R5 : Mr.S.Prakash
Government Advocate (Crl.side)

For R8 to R19,
R21 & R24 to R27: Mr.C.Prithviraj

For R20, R22, R23,
R29 to R31 : No appearance

For R7 & R28 : Service awaited

For R18 : Unserved

ORDER

Heard Mr.V.R.Venkatesan, learned counsel for the petitioner,
Mr.M.Lingadurai, learned Special Government Pleader for the



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respondents 1 to 4, 6 and 7, Mr.S.Prakash, learned Government Advocate (Crl.side) for the fifth respondent, Mr.C.Prithviraj, learned counsel for the respondents 8 to 19, 21 and 24 to 27.

2.Mr.V.R.Venkatesan, learned counsel for the petitioner would submit that for the past several decades, the subject property stood mutated in the name of the petitioner's predecessors and subsequently in the name of the petitioner's father, Muthaiyh Maniyam in patta No.703. The said Muthaiyh Maniyam died on 20.07.1955, leaving behind his daughter, Ponnammal wife, Erammal, another daughter, Vellaithai with his mother, Nagammal, predeceasing the said Muthaiyh Maniyam.

3.The learned counsel for the petitioner would submit that the private respondents have proceeded on the basis that the said Mr.Muthaiyh Maniyam died without any legal heirs and have created a forged partition deed to deprive the petitioner of her entitlement. Also, it is contended that the property is the separate property of the father and not a property which can be partitioned. The learned counsel would therefore submit that the petitioner has already approached the authorities



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and given a representation on 05.06.2023, seeking for cancellation of patta issued in the name of third parties and to consequently restore the patta in the name of the petitioner's father.

4. Without going into the merits and entitlement to the petitioner, considering the limited scope of relief that has been sought for, it would suffice to direct the Revenue Divisional Officer, Dindigul to enquire into the matter and pass orders after hearing the petitioner as well as the private respondents 8 to 31. The petitioner shall make a fresh representation to the Revenue Divisional Officer, Dindigul, enclosing all the relevant documents along with the earlier representation given to the other Revenue Authorities. On such fresh application being made by the petitioner, the Revenue Divisional Officer, Dindigul, shall fix a date for inquiry and issue notice to the petitioner as well as the private respondents 8 to 31 herein. After concluding the enquiry, after giving a fair opportunity to the parties concerned, the Revenue Divisional Officer, Dindigul, shall pass final orders on the petitioner's application for mutation of patta granted in the name of third parties in accordance with



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law. The said exercise shall be completed within a period of 12 weeks from the date of receipt of the application from the petitioner.

5. With the aforesaid directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
NCC : Yes / No
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17.03.2025

TO:-

1. The District Collector,
Velunatchiar Complex,
Dindigul District.
2. The Superintendent of Police,
Dindigul District.
3. The District Revenue Officer,
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P.B. BALAJI, J.

mm

Order made in
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Dated:
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