

W.P(MD)No.19406 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2025

CORAM :

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)No.19406 of 2025

and

W.M.P.(MD)No.14924 of 2025

S.Rasathi

...Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Peraiyur Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records in pursuant to the impugned order passed by the respondent in O.Mu.No.3149/2025/Aa1 dated 16.06.2025 quash the same as illegal and consequently directing the respondent to issue patta in petitioner's favour with respect to Survey No.589/25 on the strength of the rectification deed in Doc No.1218 of 2025.



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For Petitioner : M/s.G.Subiksha
for Mr.B.Anandan

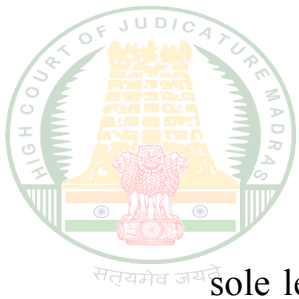
For Respondents : Mrs.K.Malathi
Additional Government Pleader

ORDER

The Writ Petition is filed challenging the order passed by the second respondent dated 16.06.2025 rejecting the application submitted by the petitioner seeking issuance of patta in respect of the property situated in Survey No.589/25.

2. Heard the arguments of M/s.G.Subiksha, learned counsel appearing for the petitioner and Mrs.K.Malathi, learned Additional Government Pleader, who takes notice for the respondents. 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 father-in-law Periya Karuppan. After the death of Periya Karuppan, the petitioner's husband Sundaramoorthy as

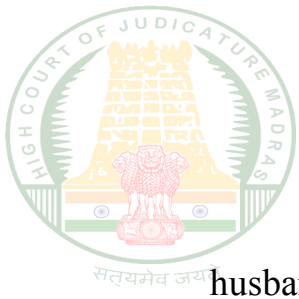


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sole legal heir of Periya Karuppan enjoyed the property and got patta in Patta No.654. However, in the said patta, survey number was wrongly mentioned as 589/22 instead of 589/25. The petitioner's husband Sundaramoorthy executed a settlement deed in favour of the petitioner on 09.02.2009 settling the subject property. In the settlement deed also, survey number was wrongly mentioned as 589/22 instead of 589/25. Subsequently, the petitioner's husband Sundaramoorthy died on 09.10.2018. After his death, it came to the knowledge of the petitioner that in the settlement deed, survey number was wrongly mentioned. Therefore, in her capacity as sole legal heir of Sundaramoorthy, the petitioner executed a rectification deed in her favour in Document No. 1218/2025 on the file of the Sub Registrar, Peraiyur on 17.03.2025. On the basis of the said rectification deed, application was submitted before the second respondent by the petitioner seeking issuance of patta in respect of correction of Survey No.589/22 and the same was dismissed by the second respondent on the ground that rectification deed executed by the petitioner in her favour cannot be considered.

4. It is the case of the petitioner that she is the sole legal heir of her



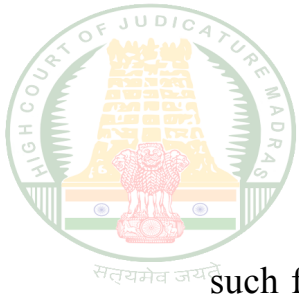
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husband Sundaramoorthy. In that case, as per the settlement deed executed by her husband Sundaramoorthy, the petitioner is entitled to succeed to the estate of Sundaramoorthy. Therefore, the rejection order passed by the second respondent cannot be sustained.

5. The learned Additional Government Pleader appearing for the respondents, on written instructions, would submit that revenue document of the subject property stands in the name of the petitioner's father-in-law Periya Karuppan and he has got three sons including the petitioner's husband Sundaramoorthy. Therefore, the petitioner will not get the entire property in that event.

6. However, in the affidavit filed in support of the writ petition, the petitioner asserted that her husband Sundaramoorthy was the sole legal heir of her father-in-law Periya Karuppan. In view of the same, the petitioner is directed to file fresh application before the second respondent with supporting document to establish that her husband Sundaramoorthy was the sole legal heir of Periya Karuppan and the petitioner is the sole legal heir of her husband Sundaramoorthy. If any



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such fresh application is filed with supporting document to establish the above mentioned facts, the same shall be considered by the second respondent in accordance with law and final orders shall be passed within a period of twelve (12) weeks from such application, after affording reasonable opportunity to the petitioner and other interested parties.

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

Consequently, connected Miscellaneous Petition is closed. No costs.

18.07.2025

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

To

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Peraiyur Taluk,
Madurai District.

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S.SOUNTHAR, J.

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Order made in
W.P.(MD)No.19406 of 2025
and
W.M.P.(MD)No.14924 of 2025

Dated : 18.07.2025