



W.P.(MD)No.20530 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.09.2025

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.20530 of 2025
and
WMP (MD) No.15893 of 2025

Basheer Ahamed

... Petitioner

Vs.

1. The Tamil Nadu State
Rep by The District Revenue Officer,
Collector Office Campus,
Thanjavur District.

2. The Revenue Divisional Officer,
Pattukottai Division,
Thanjavur District.

3. The Tahsildar,
Peravurani Taluk,
Thanjavur District.

4. Mohamed Ashiq

5. Mohamed Rizwan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the entire records pertaining to the impugned proceedings passed by the 2nd respondent in Ne.Mu.2272/2025/A7 Dated 19.06.2025 and set aside the same and consequently directing the 2nd respondent to cancel the patta



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No. 755 and confirm the patta NO. 746 in favour of the petitioner already patta issued the petitioner by the 3rd respondent on 02.09.2024 for the property in survey No.155/4B1A total extent 11 cents situated in Avanam Village, peravurani Taluk, Thanjavur District, based on the petitioners representation dated 30.06.2025.

For Petitioners :Mr.S.Balaji

For Respondents :Mr.M.Muthumanikkam
Government Advocate for R1 to R3
R4 and R5 unserved

ORDER

By relying on an affidavit affirming an oral gift, the petitioner had applied for cancellation of the patta issued in respect of the property bearing Survey No.155/4B1A of an extent of 11 cents. The said request was rejected by the impugned order of the Revenue Divisional Officer.

2. Learned counsel for the petitioner invited my attention to the affidavit executed by the petitioner's late wife B.Nafeesa Beevi. He contends that an oral gift is recognized in Mohammedan law and that the revenue authorities should have made the necessary mutation to reflect the intention of the donor.



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3. Learned Government Advocate appears on behalf of respondents

1 to 3. He points out that there is no infirmity in the impugned order which has been made by relying on the legal heirship certificate. He further submits that the petitioner has an alternative remedy by way of revision.

4. On perusal of the impugned order, it is evident that the petitioner was heard before such order was issued. The documents submitted by the petitioner have also been taken into consideration. In these circumstances, I am not inclined to exercise discretionary jurisdiction because the petitioner has an alternative remedy.

5. Accordingly, this writ petition is disposed of by permitting the petitioner to file a revision before the District Revenue Officer. The petitioner appears to have submitted a representation dated 30.06.2025 to the District Revenue Officer. The District Revenue Officer is directed to consider and dispose of the same as a revision, without going into the question of limitation, after providing a reasonable opportunity to the petitioner and the private respondents herein. This shall be done within a



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maximum period of four months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

18.09.2025

NCC :No
Internet :Yes
Index :No
PKN

To
1. The Tamil Nadu State
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SENTHILKUMAR RAMAMOORTHY, J.

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