



W.P.(MD) No.21129 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.21129 of 2025

A.Nagaraj

... Petitioner

Vs.

1.The District Collector,
Collector Office,
Madurai, Madurai District.

2.The Revenue Divisional Officer,
Thirumangalam,
Madurai District.

3.The Tahsildar,
Taluk Office,
Thirumangalam Taluk,
Madurai District.

4.Kandhavel

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 1 to 3 to cancel the patta in Patta No.4778 of Kinnimangalam village wrongly stands in the name of the fourth respondent in respect of the property in



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Survey No.222/9A to an extent of 88 cents instead of 216 sq.ft of Kinnimangalam Village, Thirumangalam Taluk, Madurai District and consequently direct to issue the patta in the name of the petitioner in respect of the aforesaid property except 216 sq.ft out of 88 cents.

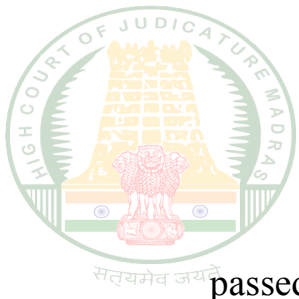
For Petitioner : Mr.N.Balasubramanian

For R1 to R3 : Mrs.S.Jeya Priya
Government Advocate

ORDER

The petitioner herein seeks a direction to the respondents 1 to 3 to cancel the patta in Patta No.4778 that stands in the name of the fourth respondent in respect of the property situated in Survey No.222/9A, with an extent of 88 cents and to issue patta in the name of the petitioner in respect of the aforesaid property, except to the extent of 216 sq.ft, sold to the fourth respondent.

2.Heard the arguments of Mr.N.Balasubramanian, learned counsel appearing for the petitioner and Mrs.S.Jeya Priya, learned Government Advocate appearing for the respondents 1 to 3. Since no adverse order is



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passed against the fourth respondent, notice to the fourth respondent is dispensed with.

3.By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4. It is the case of the petitioner that the entire extent of 88 cents in Survey No.222/9A belongs to the petitioner's family in Patta No.5. On 21.10.1991, the petitioner and his father sold 216 square feet in favour of the fourth respondent. However, the patta for the entire extent of 88 cents was mutated in favour of the fourth respondent. Therefore, the petitioner submitted a representation on 25.07.2025, seeking cancellation of patta issued in favour of the fourth respondent in respect of the entire extent and restoration of patta in the name of the petitioner, after deducting the extent sold to the fourth respondent. The said representation has not been considered. Hence, the petitioner has come before this Court.

5.It is seen from the typed set of papers that the petitioner had



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already filed a writ petition in W.P.(MD) No.18930 of 2024, seeking the very same relief. The said writ petition was dismissed based on the endorsement made by the learned counsel for the petitioner. Therefore, the petitioner is not entitled to seek the very same relief by filing another writ petition.

6.The learned Government Advocate appearing for the respondents 1 to 3 would submit that the representation of the petitioner is still pending on the file of the second respondent and the same will be considered in accordance with law.

7.In view of the same, though the petitioner is not entitled to positive direction as prayed for, this Court feels that it would be appropriate to direct the second respondent to consider the representation of the petitioner on merits. Accordingly, the second respondent is directed to consider the representation of the petitioner dated 25.07.2025 and pass final orders on its own merits, within a period of twelve weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner and fourth respondent.



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8. With the above direction, this Writ Petition is disposed of.

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No costs.

04.08.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

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S.SOUNTHAR,J

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