



W.P.(MD)No.24609 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.04.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD) No.24609 of 2018

1.P.Kalaiselvi (deceased sole petitioner)

2.T.Prabakaran

3.Minor.T.Raja Soundaran

4.Minor.T.Ragavi

*(P2 to P4 have been impleaded vide order
dated 21.04.2025 and P3 and P4 have been
represented by the 2nd petitioner)*

... Petitioners

/Vs./

1.The District Collector,
Collectorate Buildings,
Dindigul.

2.The Tahsildar,
Dindigul West Taluk Office,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the representation dated 12.11.2018 and not to change the name of Late.N. Balasubramanian, son of Late. Nalliah in the patta till the disposal of the



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civil proceedings between the petitioners along with her sisters and Selvarani wife of their brother late N.balasubramanian along with her minor daughter B.Subhasri within a time frame as may be fixed by this Court.

For Petitioners : Mr.P.Jessi Jeva Priya

For Respondents : Mr.S.Jeya Priya

Government Advocate

ORDER

The writ petition has been filed seeking issuance of Writ of Mandamus to consider the petitioner's representation dated 12.11.2018 in relation to mutation of patta standing in the name of late.N.Balasubramanian, S/o.late.Nalliah, until disposal of the civil proceedings between the petitioners, her sisters as against the sister-in-law, Selvarani, W/o. late.N.Balasubramanian and minor daughter B.Subhasri.

2.Admittedly, a suit was filed in O.S.No.46 of 2016 for partition on the file of the District Court, Dindigul. Pending this writ petition, the learned counsel for the petitioners submits that the said partition suit has been decreed in favour of the first petitioner and her sisters were granting preliminary decree on 01.04.2025 in their favour.



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3.In any event, Ms.S.Jeyapriya, learned Government Advocate appearing for the respondents submits that the shares of the sisters in the subject property have also been declared.

4.In view of the subsequent event, the second respondent is directed to consider the objection of the petitioners and if any application is made for issuance of patta in the name of the deceased brother of the petitioners, then, notices shall be issued to all his sisters including the writ petitioners as well as the sister-in-law of the petitioner and their objections shall be heard before any orders are passed. The subsequent event, namely, the preliminary decree passed in favour of her sisters, shall also be taken note of by the second respondent, before passing any final orders.

5.With the aforesaid directions, the Writ Petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No

21.04.2025

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P.B. BALAJI, J.

mm

Order made in
W.P.(MD)No.24609 of 2018

Dated:
21.04.2025