



W.P.(MD) No.22524 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2025

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THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.22524 of 2025

and

W.M.P.(MD) Nos.17637, 17639 & 17642 of 2025

M.Subramanian

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Sivagangai.

2.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

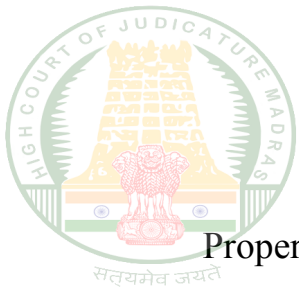
3.The Block Development Officer,
Sakkottai Union,
Sivagangai District.

4.The Executive Officer,
Sakkavayal Village Panchayat,
Karaikudi Taluk,
Sivagangai District.

5.M.Raman

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Declaration, declaring the transfer of



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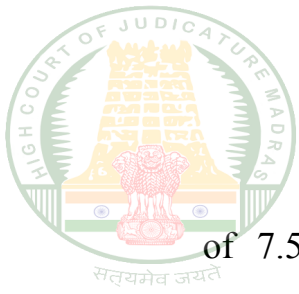
Property Tax Assessment No.74 in respect of the property in S.No.34/3, Door No.1/74, situated at Natchiar Mandapam, Kulapadi Ulkadai, Kulapadi Group, Sakkavayal Panchayat, Karaikudi Taluk, Sivagangai District, issued by the fourth respondent in favour of the fifth respondent as abinitio void and illegal as it was without notice to the petitioner.

For Petitioner : Mr.V.R.Shanmuganathan
For R1 & R2 : Mr.D.Ghandiraj
Special Government Pleader
For R3 & R4 : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Declaration to declare that the transfer of Property Tax Assessment No74, in respect of the property in S.No.34/3, Door No.1/74, situated at Natchiar Mandapam, Kulapadi Ulkadai, Kulapadi Group, Sakkavayal Panchayat, Karaikudi Taluk, Sivagangai District, made by the fourth respondent in favour of the fifth respondent is *ab initio* void and illegal, as it was effected without notice to the petitioner.

2. The petitioner is one of the children of late A.Mookiah, who died on 10.06.2014. It is the specific case of the petitioner that an extent

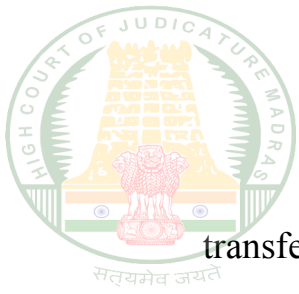


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of 7.5 cents of land in S.No.34/3, situated at Natchiar Mandapam, Kulapadi Ulkadai, Kulapadi Group, Sakkavayal Panchayat, Karaikudi Taluk, Sivagangai District, stood in the name of the petitioner's father and his mother Valliammai. According to the petitioner, the said property is joint family property and therefore, the petitioner's father and the petitioner constructed a house on the said land from their hard-earned money.

3. It is the further case of the petitioner that the petitioner's mother Valliammai executed a Settlement Deed dated 02.03.2022 registered as Document No.1682/2022 in favour of the petitioner's brother the fifth respondent herein, without the knowledge of the petitioner and other siblings. The petitioner along with the other siblings have filed O.S.No.84 of 2025 before the Sub Court, Devakottai, for partition of the property and for a declaration that the aforesaid Settlement Deed dated 02.03.2022, executed by the petitioner's mother in favour of the fifth respondent was null and void.

4. It is further submitted that without notice either to the petitioner or to the other legal heirs of late A.Mookiah, the fourth respondent has



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transferred the Property Tax Assessment in the name of the fifth respondent. In this connection, the petitioner has submitted representations dated 05.05.2023, 20.06.2023, 23.12.2024, and 27.12.2024. It is submitted that the alteration of the name of the assessee, without notice either to the petitioner or to the other siblings of the petitioner, is illegal and liable to be reversed.

5. The petitioner appears to have made out a *prima facie* case on merits, although the suit is pending at the behest of the petitioner and other siblings before the Sub Court, Devakottai, in O.S.No.84 of 2025 for partition of the property and for declaration of the Settlement Deed dated 02.03.2022 executed by the petitioner's mother in favour of the fifth respondent as null and void.

6. Under these circumstances, this Writ Petition is disposed of with a direction to the third respondent to consider the petitioner's representations dated 05.05.2023, 20.06.2023, 23.12.2024, and 27.12.2024, after giving due notice to the fifth respondent as well as to the other legal heirs of late A.Mookiah, who died on 10.06.2014. This exercise shall be completed within a period of six weeks from the date of



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receipt of a copy of this order. No costs. Consequently, the connected

WEB COPY Miscellaneous Petitions are closed.

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No
Speaking Order / Non-Speaking Order

To

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C.SARAVANAN, J.

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