



W.P.(MD) No.24495 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.24495 of 2023

A.Arumairaj

... Petitioner

Vs.

- 1.The District Revenue Officer,
Kokrakulam,
Tirunelveli District.
- 2.The Revenue Divisional Officer,
Kokrakulam, Tirunelveli District.
- 3.The Joint Commissioner (Land Reforms),
Kokrakulam, Tirunelveli District.
- 4.The District Registrar,
Kokrakulam,
Tirunelveli District.
- 5.The Sub Registrar,
Burkitmanagar,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the first to third respondents herein to give patta to the petitioner by considering the petitioner's representation dated 11.09.2023 and consequently direct the fifth respondent herein to remove the entries in the encumbrance



W.P.(MD) No.24495 of 2023

certificate in respect of the petitioner's property in S.No.391, to an extent of 2 Acres 49 Cents in Ariyakulam Village, Palayamkottai, Tirunelveli District.

For Petitioner : Mr.K.Hemakarhikeyan

For Respondents : Mr.S.Kameswaran
Government Advocate

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first to third respondents herein to issue patta in favour of the petitioner by considering the petitioner's representation dated 11.09.2023 and consequently directing the fifth respondent herein to remove the entries in the encumbrance certificate in respect of the petitioner's property comprised in S.No.391, measuring an extent of 2 Acres 49 Cents, situated at Ariyakulam Village, Palayamkottai, Tirunelveli District.

2. The case of the petitioner is that he purchased the subject property comprised in S.No.391, measuring an extent of 2 Acres 49 Cents, situated at Ariyakulam Village, Palayamkottai, Tirunelveli District, from one M.D.K. Thirumalaiappa Mudaliar on 27.08.2009, who was one of the



W.P.(MD) No.24495 of 2023

sharers of the Seevalaperi Choultry, which was founded by the Talavai Family in Tirunelveli Town. Proceedings were pending against the holdings of the Talavai Family under the provisions of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. Ultimately, the issue attained finality before the Hon'ble Supreme Court by order dated 06.03.2003, pursuant to which the lands were allotted to the family as land permitted to be retained within the ceiling limit. During the pendency of the said proceedings, the petitioner purchased the land.

3. The learned counsel for the petitioner submitted that the transferred lands are included in the holding of the Talavai Family, since all the lands in Ariyakulam Village were permitted to be retained by the family pursuant to the order of the Hon'ble Supreme Court. It was further submitted that an order came to be passed by the third respondent restoring 242.04 ordinary acres in Ariyakulam Village to the holdings of the Haqdars, including the petitioner's vendor. Since Annexure II to the said order provides for lands in various survey numbers which were restored to the personal holdings of the Haqdars, including the petitioner's vendor, the petitioner is a valid purchaser.



W.P.(MD) No.24495 of 2023

4. It was also submitted that representations were made seeking issuance of individual pattas to the landowners and that by virtue of the order dated 22.11.2018 passed by this Court directing the authorities to issue pattas to the shareholders, steps were taken to include the names of the shareholders in the joint patta in respect of the total extent of 242.04 acres. It was further contended that one of the purchasers, similarly placed as the petitioner, namely Pooliah, had made an application to the second respondent seeking issuance of patta, which was rejected on the ground that the sale was void. Aggrieved by the same, the said purchaser approached this Court in W.P.(MD) No.21422 of 2016 and connected matters, which were allowed by this Court by order dated 15.09.2023.

5. According to the learned counsel, the said order squarely applies to the petitioner's case in all fours. It was further submitted that though the petitioner made an application dated 11.09.2023 to the first respondent seeking entry of his name in the patta and also submitted a copy of the same during the Monday Grievance Day on that date, no action has been taken thereon. Therefore, the petitioner was constrained to approach this Court.



W.P.(MD) No.24495 of 2023

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6. The learned Government Advocate appearing for the respondents submitted that since the sale was void, the petitioner's request had not been considered; that however, as the petitioner's representation dated 11.09.2023 is pending with the Department, the same would be considered and appropriate orders would be passed after conducting an enquiry; and that the petitioner may raise all these contentions before the competent authority.

7. Recording the above submission and without expressing any opinion on the merits of the matter, this Writ Petition is disposed of with a direction to the first and second respondents to consider the petitioner's representation dated 11.09.2023 on its merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is at liberty to raise all the contentions raised before this Court before the first and second respondents and file supporting documents, including the orders passed by this Court. The representation shall be considered and disposed of after conducting an enquiry. The first and second respondents are also directed to provide a reasonable opportunity during such enquiry to the petitioner



W.P.(MD) No.24495 of 2023

and to any other interested parties who may be affected by the decision.

In the event of any rival claims, the same can be agitated before the competent civil court. There shall be no order as to costs.

[K.SURENDER, J.]

17.12.2025

JEN

Index : Yes / No

Neutral Citation : Yes / No

Speaking Order / Non-Speaking Order

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W.P.(MD) No.24495 of 2023

K.SURENDER, J.

JEN

W.P.(MD) No.24495 of 2023

17.12.2025