



W.P.(MD)No.25504 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :19.11.2025

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.25504 of 2025

and

WMP (MD) No.19970 of 2025

A. Thirumeni

... Petitioner

Vs.

1. The District Revenue Officer,
Thanjavur District,
Thanjavur.

2. Dharamaraj

3. Sangeetha

4. Palanivel

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for records relating the impugned order passed by the 1st respondent in Na,Ka.1695887/2024/U(2) dated 26.06.2025 and quash the same as illegal insofar as issuance of the patta in the name of the 2nd respondent alone is concerned and for consequential direction to issue joint patta in the name of petitioner and the 2nd respondent herein within the period that may be stipulated by this Honourable Court.

For Petitioner : Mr. M.Jerin Mathew



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For Respondents :Mr.B.Saravanan
Addl. Government Pleader for R1
Mrs.S.Prabha for R2 & R3
No appearance for R4

ORDER

An order dated 26.06.2025 of the District Revenue Officer is assailed in this writ petition on the ground that the petitioner was not issued notice in relation to the said proceedings.

2. Learned counsel for the petitioner submits that the property bearing Survey No.86/2 of the extent of 5.5 ares was purchased by the second respondent on 08.07.1999 under Document No.194 of 1999 from and out of funds provided by the petitioner. He also submits that a civil suit in O.S.No.350 of 2024 has been filed seeking the relief of declaration and injunction before the Principal District Court, Thanjavur, and that the said suit is still pending. In view thereof, he submits that the revenue authorities are required to hold their hands and await the outcome of the civil suit.



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3. In response, learned counsel for the second and third respondents submits that the above-mentioned property was purchased from and out of the funds of the second respondent and that it is not one of the properties of the joint family. In this connection, she relies on partition deed dated 29.03.2006 and contends that this property was not dealt with in the partition deed because it is a separate self-acquired property of the second respondent.

4. Learned counsel for the petitioner submits that the apprehension of the petitioner is that the patta issued pursuant to the impugned order would be used by the second and third respondents to evict the petitioner from the property under occupation by him. If the second and third respondents agree not to use the patta as the basis for seeking the eviction of the petitioner, he submits that the petitioner would await the outcome of the pending civil suit before applying to the revenue authorities for grant of patta.

5. On instructions, learned counsel for the second and third respondents agrees not to seek the eviction of the petitioner, who is the brother of the second respondent, on the basis of the patta.



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6. In view of the above submissions of the rival claimants, this writ petition is disposed of by granting leave to the petitioner to reapply before the revenue authorities if the petitioner were to succeed in the pending civil suit. The statement made by learned counsel on behalf of the second and third respondents is recorded. No costs. Consequently, connected miscellaneous petition is closed.

19.11.2025

NCC :No
Internet :Yes
Index :No
PKN

To
The District Revenue Officer,
Thanjavur District,
Thanjavur.



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SENTHILKUMAR RAMAMOORTHY, J.

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