



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 23.09.2025

CORAM

**THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

**W.P.(MD)No.26326 of 2025**  
**and**  
**W.M.P(MD)No.20475 of 2025**

P.Rajaram

...Petitioner

Vs

1. The Director of Rural Development,  
Panagal Building,  
Saidapet, Chennai.

2. The District Collector,  
Madurai District,  
Madurai.

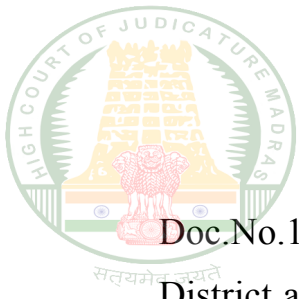
3. The Revenue Divisional Officer,  
Melur, Madurai District.

4. The Tahsildar,  
Melur Taluk,  
Madurai District.

5. The Block Development Officer,  
Village Panchayat,  
Melur Panchayat Union,  
Madurai District.

...Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 5 to determine the extent of available government land in property in S.No.107/2 in Keelavalavu Village, Melur Taluk, Madurai District as per the gift deed dated 13.02.1976 in



Doc.No.181/1976 on the file of the Sub Registrar Office, Melur, Madurai District and issued patta for the remaining land of the said property in favor of the petitioner and his brothers based on the petitioner's representation dated 19.08.2025 within stipulated time as fixed by this Court.

For Petitioner : Mr.S.Vellaichamy  
For Respondents : Mr.K.Balasubramani  
Special Government Pleader  
for R1 to R4  
Mr.J.K.Jayaselan  
Government Advocate for R5

### **ORDER**

The petitioner claims title to an extent of about 11 cents in S.No.107/2, after excluding the land forming the subject of gift deed dated 13.02.1976. After submitting representation dated 19.08.2025, the present writ petition has been filed.

2.Learned counsel for the petitioner invited my attention to the schedule of gift deed dated 13.02.1976. He points out that the aggregate extent is 32 cents and the entire extent was not gifted under the said document. After submitting that the 5<sup>th</sup> respondent has undertaken construction on the land in occupation by the petitioner, he seeks the expeditious consideration of the representation. Pending such consideration, he makes a request that the respondents be restrained from proceeding with such construction.



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3.Learned Special Government Pleader accepts notice on behalf of the respondents 1 to 4 and Mr.J.K.Jayaselan, learned Government Advocate accepts notice on behalf of the respondent 5. He points out that the petitioner has also requested for cancellation of the patta issued on the basis of gift deed dated 13.02.1976. Any request for cancellation may only be considered by the Revenue Divisional Officer. Therefore, learned Special Government Pleader submits that the 3<sup>rd</sup> and 4<sup>th</sup> respondents may be directed to consider and dispose of the petitioner's request on merits.

4.A consideration of the petitioner's request would entail a survey of the land to ascertain the extent gifted and the extent remaining after reckoning the extent gifted. On the basis of documents submitted by the petitioner, it is unclear as to the exact extent gifted and the extent remaining in S.No.107/2, thereafter.

5.In these circumstances, without making any observations on the merits, this writ petition is disposed of with the following directions:-

a)The 3<sup>rd</sup> and 4<sup>th</sup> respondents are directed to conduct an inquiry on the basis of the petitioner's representation, including, if necessary, by conducting a



survey; and

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b) Upon the conclusion of such inquiry, a speaking order shall be issued within twelve weeks from the date of receipt of a copy of this order. It is needless to say that a reasonable opportunity shall be provided to the petitioner before issuing such order. No costs. Consequently, connected writ miscellaneous petition is also closed.

**23.09.2025**

NCC : Yes/No  
Index : Yes/No  
Internet: Yes/No  
RJR



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**SENTHILKUMAR RAMAMOORTHY, J.**

RJR

To

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