



W.P(MD)No. 31115 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :03.11.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No. 31115 of 2025

K.Nisha

... Petitioner

Vs

1. The Tahsildar,
Taluk Office,
Kumbakonam,
Thanjavur District.

2. Faritha Begam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records of the first respondent's Impugned Order in Na.Ka. 14/2022/Aa dated 01.09.2025 and quash the same as devoid of merits and direct the first respondent to grant patta in the names of legal heirs of deceased Late.S.Zarith Mansoor for the property in Town Survey No. 2502/1, Block No.59, Ward No.6 in Palavathankattalai Seenivasanagar, Kumbakonam Town, Thanjavur and for such other reliefs, within the period as stipulated by this Court.

For Petitioner : Ms.SK.Pavithra

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1



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ORDER

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An order of the Tahsildar rejecting the petitioner's request for patta transfer is assailed in this Writ Petition. The said order was issued pursuant to the earlier order dated 29.04.2025 in W.P(MD) No.11757 of 2025.

2. Learned counsel for the petitioner submits that the petitioner is the widow of the late S.Zarith Mansoor. After instituting O.S.No. 278 of 2021, she points out that a judgment and decree dated 19.09.2022 was issued declaring the petitioner as one of the legal heirs of the late S.Zarith Mansoor. She also submits that the patta transfer application was filed on that basis. According to learned counsel, rejection of such request by citing O.S.No.278 of 2021 and O.S.No.74 of 2025 is incorrect.

3. Learned Special Government Pleader accepts notice for both the respondents. He submits that the request of the petitioner was rejected after providing a reasonable opportunity to the petitioner. He submits that an appellate remedy is available or, in the alternative, the petitioner could



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await the disposal of O.S.No.74 of 2025.

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4. On perusal of the order impugned herein, it is noticeable that the petitioner and the third respondent were heard before such order was issued. Learned counsel for the petitioner is correct in contending that the rejection is not justified by reference to O.S.No.278 of 2021. The said suit appears to have been decreed in favour of the petitioner. However, the impugned order also refers to O.S.No.74 of 2025 and to the relief claimed therein, which includes not making any changes to the revenue records pending disposal of the suit.

5. The petitioner has the alternative remedy of a statutory appeal. The order was issued after providing a reasonable opportunity to the petitioner. In these circumstances, I am not inclined to exercise discretionary jurisdiction. Therefore, this Writ Petition is disposed of by leaving it open to the petitioner to file an appeal before the Revenue Divisional Officer. If such appeal were to be filed within thirty (30) days from the date of receipt of a copy of this order, the Revenue Divisional Officer is directed to receive and dispose of the same on merits after



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providing a reasonable opportunity to the petitioner and the second respondent herein. In the alternative, it is also open to the petitioner to reapply for patta after the disposal of O.S.No.74 of 2025. No costs.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

03.11.2025

To
1. The Tahsildar,
Taluk Office,
Kumbakonam,
Thanjavur District.



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SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

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