



W.P.(MD)No.31235 of 2024

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

**DATED: 20.03.2025**

**CORAM**

**THE HON'BLE MR.JUSTICE P.B.BALAJI**

**W.P.(MD)No.31235 of 2024**

**and**

**W.M.P.(MD)No.26181 of 2024**

Periyasamy

: Petitioner

Vs.

1.The District Collector,  
Virudhunagar District.

2.The District Revenue Officer,  
Virudhunagar District.

3.The Revenue Divisional Officer,  
Sivakasi,  
Virudhunagar District.

4.The Tahsildhar,  
Srivilliputhur Taluk,  
Virudhunagar District.

5.Radhasankar

6.M.Noor Mohamed

: Respondents



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, thereby call for the records of the 2<sup>nd</sup> respondent in Ni.Mu. A1/1105368/2023 dated 21.11.2024 and quash the same as illegal and arbitrary and in consequence thereof direct the respondent to cancel the patta in the name of 5<sup>th</sup> respondent and restore the patta in the name of petitioner's grandfather namely M.Krishnan.

For Petitioner : Mrs.M.Sakundaladevi  
For Respondents 1 to 4 : Mr.M.Lingadurai  
Special Government Pleader  
For Respondent No. 5 : Mr.H.Arumugam,  
for Mr.K.K.Udhayakumar  
For Respondent No.6 : Mr.M.Mahaboob Athiff

### **ORDER**

The Writ Petitioner challenges the order of the second respondent in Ni.Mu.A1/1105368/2023 dated 21.11.2024.

**2.**I have heard the learned Counsel for the parties.

**3.**The case of the petitioner is that one Krishnan was issued patta in the year 1967. The said Krishnan was not blessed with any children and both Krishnan and his wife died intestate, leaving



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behind no legal heirs. According to the petitioner, he claims that said Krishnan is his grandfather. However, in the very next sentence in paragraph No.2, he states that 'my grandfather Krishnan has no children'. However, learned Counsel for the petitioner clarified the statement saying that he is Krishnan's brother's grandson. However, there is no proof to substantiate the same.

**4.**I have gone through the impugned order.

**5.**The case of the petitioner is that a forged settlement deed is alleged to have been executed by said Krishnan in favour of one Sivan and his wife Subbammal, as if said Krishnan has conveyed the property in S.No.327/1A measuring 97 cents out of 2 acres 85 cents in Thailakulam, Inam Nachiyarkovil Village, Srivilliputhur Taluk, Virudhunagar District by registered sale deed dated 05.09.1977.

**6.**Even according to the petitioner, neither the settlement deed nor the sale deed based on the which the respondents 5 & 6 claim right, has been challenged before the competent Civil Court. The respondent in the impugned order also traces the issue of the survey number mismatch, which has been pointed out by the petitioner. The impugned order is a well considered order, after affording fair opportunity to all the parties. Rightly, the second respondent has found that the petitioner has not even made out a case for



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entitlement to succeed to the estate of Krishnan. Further, based on the registered document alone, the impugned order has been passed. Therefore, I do not find any infirmity in the impugned order of the second respondent requiring interference under Article 226 of the Constitution of India.

7. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**20.03.2025**

Index : Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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**P.B.BALAJI., J.**

MR

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