



W.P.(MD) No.344 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.344 of 2026

and

W.M.P.(MD) No.343 of 2026

1.G.Mahalingam

2.G.Mottaiyasamy

... Petitioners

Vs.

1.The District Revenue Officer,
Theni District, Theni.

2.The Revenue Divisional Officer
/ Sub Collector, Periyakulam,
Theni District.

3.The Tahsildar,
O/o.The Tahsildar,
Aandipatti Taluk, Theni District.

4.S.Raja

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the second respondent to dispose of the unnumbered Appeal made by the petitioners dated 21.11.2025 and consequently directing the second respondent to cancel the Patta in Patta No. 10776 which stands in the name of the fourth respondent in respect of properties in Survey No.1227/8, measuring an



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extent of 1 Acre 32 Cents situated at Mayiladumparai Village, Aandipatti Taluk, Theni District and consequently directing the third respondent to issue patta in the name of petitioners within the time stipulated by this Court.

For Petitioners : Mr.T.Thirumurugan

For R1 to R3 : Mr.B.Ramanathan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the second respondent to dispose of the unnumbered appeal dated 21.11.2025 submitted by the petitioners and consequently to cancel the patta bearing Patta No.10776 standing in the name of the fourth respondent in respect of the property comprised in Survey No.1227/8, measuring an extent of 1 Acre and 32 Cents, situated at Mayiladumparai Village, Aandipatti Taluk, Theni District and further directing the third respondent to issue patta in the name of the petitioners within the time stipulated by this Court.

2. With the consent of the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the first to third respondents, this Writ Petition is taken up for final disposal at the



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admission stage itself, dispensing with notice to the fourth respondent, as no adverse orders are proposed to be passed against him.

3. The case of the petitioners is that the subject property originally belonged to the father of the petitioners and that the petitioners, who are brothers, along with other legal heirs, are in possession and enjoyment of the same. The fourth respondent, without the knowledge of the petitioners and other legal heirs and by threatening the father of the petitioners, fraudulently obtained the subject property without paying any sale consideration *vide* a Sale Deed dated 19.02.2025. Based on the said Sale Deed, the third respondent granted patta in the name of the fourth respondent without conducting any enquiry. Therefore, on 21.11.2025, the petitioners preferred an appeal before the second respondent seeking cancellation of the patta issued in the name of the fourth respondent and issuance of patta in their favour. Since the second respondent has neither numbered the said appeal nor considered the same, the petitioners were constrained to file the present Writ Petition.

4. The learned Additional Government Pleader appearing for the first to third respondents would submit that the petitioner's appeal would



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be considered and appropriate orders would be passed by the second respondent within a period of eight weeks.

5. 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 second respondent to number the appeal filed by the petitioners, if it is found to be in compliance with all procedural requirements and to dispose of the same on its merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The appeal shall be considered and disposed of after conducting an enquiry. The second respondent is also directed to provide a reasonable opportunity of hearing during such enquiry to the petitioners, the fourth respondent and any other interested parties who may be affected by the decision. In the event of any rival claims, the parties are at liberty to pursue their remedies before the competent Civil Court. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

[K.SURENDER, J.]
08.01.2026

JEN
Index : Yes / No



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Neutral Citation : Yes / No

WEB COPY To

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