



W.P.(MD) No.1438 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.1438 of 2026

S.Duraipandian

... Petitioner

Vs.

- 1.The District Collector,
O/o.The District Collector,
Theni District.
- 2.The District Revenue Officer,
O/o.The District Revenue Officer,
Collector Office,
Theni.
- 3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.
- 4.The Tahsildar,
O/o.The Tahsildar,
Uthamapalayam,
Theni District.

5.T.Shunmugaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
for issuance of a Writ of Mandamus directing the second to fourth



W.P.(MD) No.1438 of 2026

respondents to cancel the Patta in Patta No.367 of the fifth respondent and consequently to issue joint patta in the name of the petitioner and his sister's names for the properties comprising in Survey Nos.47 and 48/1 situated at Kamayakoundenpatti, Cumbum, Uthamapalayam Taluk, Theni District, by considering the petitioner's representation sent to the first, third and fourth respondents dated 14.11.2025 and the representation sent to the second respondent dated 28.11.2025 within the stipulated period as fixed by this Court.

For Petitioner : Mr.L.Prabhu

For R1 to R4 : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the second to fourth respondents to cancel the patta in Patta No.367 standing in the name of the fifth respondent and consequently to issue a joint patta in the names of the petitioner and his sister in respect of the properties comprised in Survey Nos.47 and 48/1, situated at Kamayakoundenpatti, Cumbum, Uthamapalayam Taluk, Theni District, by considering the petitioner's representations dated 14.11.2025 submitted to the first, third and fourth respondents and the representation



W.P.(MD) No.1438 of 2026

dated 28.11.2025 submitted to the second respondent, within a time frame to be stipulated by this Court.

2. With the consent of the parties, this Writ Petition is taken up for final disposal at the admission stage itself, dispensing with the notice to the fifth respondent, as no adverse orders are proposed to be passed against him.

3. The grievance of the petitioner is that the petitioner and his sisters are the lawful owners of the subject property and have valid title. However, based on a Will, which was allegedly obtained by force many years ago and is void ab initio, and in view of the order of the Hon'ble Supreme Court in *A.L.V.R.S.T. Veerappa Chettiyar v. Michael and others*, 1963 AIR 933, 1963 SCR SUPL. (2) 244, several documents, namely, partition deeds and sale deeds, came to be executed and certain revenue records were mutated and pattas were issued. In respect of the subject property, the patta presently stands in the name of the fifth respondent. Though the petitioner submitted representations dated 14.11.2025 to the first, third and fourth respondents and a representation dated 28.11.2025 to the second respondent, seeking cancellation of the



W.P.(MD) No.1438 of 2026

patta and issuance of a joint patta in the names of the petitioner and his sisters, the same have not been considered and no orders have been passed. Hence, the petitioner has been constrained to file the present Writ Petition.

4. The learned Special Government Pleader appearing for the first to fourth respondents, on instructions, would submit that the petitioner's representation dated 14.11.2025 would be considered and appropriate orders would be passed by the third respondent within a period of twelve 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 third respondent to consider the petitioner's representation dated 14.11.2025 and pass appropriate orders on its merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The representation shall be disposed of after conducting an enquiry. The third respondent is also directed to provide a reasonable opportunity of hearing to the petitioner, the fifth respondent and any other interested parties who may be affected by such



W.P.(MD) No.1438 of 2026

decision, before passing any order. 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.

[K.SURENDER, J.]

22.01.2026

JEN

Index : Yes / No

Neutral Citation : Yes / No

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W.P.(MD) No.1438 of 2026

K.SURENDER, J.

JEN

W.P.(MD) No.1438 of 2026

22.01.2026