



W.P.(MD) No.3357 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.3357 of 2026

Yagappan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Dindigul, Dindigul District.

2.The Tahsildar,
Dindigul East Taluk,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the first respondent to dispose of the petitioner's appeal dated 26.11.2025, seeking cancellation of Patta No.630 in respect of Survey No.582/8, admeasuring 22.50 Ares (53 cents), situated at A.Vellodu Village, Dindigul East Taluk, Dindigul District and for restoration of patta either in the name of the petitioner or in the name of the original owner Tmt. Sandikkammal, within a time frame to be stipulated by this Court.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.B.Ramanathan
Additional Government Pleader



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O R D E R

WEB COPY This Writ Petition has been filed seeking a Writ of Mandamus directing the first respondent to dispose of the petitioner's appeal dated 26.11.2025 for cancellation of Patta No.630 relating to Survey No.582/8 measuring 22.50 Ares (53 cents), situated at A.Vellodu Village, Dindigul East Taluk, Dindigul District, and consequently for restoration of the patta in the name of the petitioner or the original owner, Tmt. Sandikkammal, within a time frame to be fixed by this Court and in accordance with law.

2. With the consent of the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The grievance of the petitioner is that he is the absolute owner and is in continuous possession and enjoyment of the subject property, which originally belonged to one Sandhirakkam @ Sandikkammal, who died intestate and without leaving any legal heirs. Upon her demise, the property devolved upon her only surviving sister, Savariammal, the petitioner's grandmother. Out of love and affection, the petitioner's grandmother permitted one Abraham, son of her husband's elder brother, to enjoy the property, as he performed the last rites of the deceased.



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4. Subsequently, the said Abraham relinquished his rights and possession in favour of the petitioner. Under a family arrangement/partition, the subject property was allotted to the petitioner and, since then, the petitioner has been in open, peaceful and uninterrupted possession of the entire extent.

5. During the UDR Scheme in the year 1994, the patta, which originally stood in the name of Sandikkammal, was erroneously and illegally transferred in the name of one Sebastiar, S/o. Anthoni, vide RTR No.835/1994-95 dated 06.07.1994, without any sale deed, conveyance, inheritance or supporting document. The said Sebastiar had no right, title or interest in the property and neither he nor his legal heirs ever objected to the petitioner's possession.

6. The petitioner submitted representations dated 16.12.2019 and 26.04.2023 to the Tahsildar seeking cancellation of the erroneous patta and restoration of the patta in his name. The Village Administrative Officer, after inspection, confirmed the petitioner's possession. However, the Tahsildar rejected the request by order dated 15.08.2025 on the ground



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that the petitioner relied upon an unregistered document, without addressing the illegal UDR mutation.

7. Aggrieved thereby, the petitioner filed W.P.(MD) No.31501 of 2025 and this Court, by order dated 06.11.2025, granted liberty to the petitioner to file an appeal before the Revenue Divisional Officer by impleading the legal heirs of Sebastiar, if any and further directed that the question of limitation shall not be raised.

8. Pursuant thereto, the petitioner filed a statutory appeal dated 26.11.2025 before the first respondent, Revenue Divisional Officer and the same is still pending disposal. As the patta continues to stand in the name of a third party, the petitioner is unable to alienate, mortgage or otherwise deal with the property, thereby causing serious hardship. Hence, the petitioner has been constrained to file the present Writ Petition.

9. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the petitioner's appeal dated 26.11.2025 would be disposed of by the first respondent within a period of sixteen weeks.



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10. 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 first respondent to dispose of the petitioner's appeal dated 26.11.2025, after conducting an enquiry, on its merits and in accordance with law within a period of sixteen weeks from the date of receipt of a copy of this order. The first respondent is also directed to provide a reasonable opportunity of hearing to the petitioner and any other interested parties who may be affected by such 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.]
06.02.2026

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Index : Yes / No

Neutral Citation : Yes / No

To

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