



W.P.(MD) No.3798 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.3798 of 2026

M.Manuvel

... Petitioner

Vs.

1.The Commissionerate of Land Administration,
Land Administration Department,
2nd Floor, Ezhilagam,
Chepauk, Chennai.

2.The District Collector,
Collectorate,
Kanyakumari District at Nagercoil.

3.The District Revenue Officer,
Kanyakumari District.

4.The Sub Collector,
Padmanabhapuram,
Kanyakumari District.

5.The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the fourth respondent in his proceedings



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in No.(Pa.Mu).AA2/4095/2025 dated 26.08.2025 and quash the same as illegal and further direct the respondents herein to rectify the mistakes in the revenue records and issue patta in petitioner's favour with respect to the property comprised in Old Survey Nos.2965 (0.80) and 2967 (0.86), Re-Survey Nos.282/8, 283/3 and 283/4 in Churulacode Village (now Thiruvattur), Kalkulam Taluk, Kanyakumari District within a time stipulated by this Court.

For Petitioner : Mr.S.Vashik Ali

For Respondents : Mr.R.Ragavendran
Government Advocate

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the fourth respondent in Proceedings No. (Pa.Mu).AA2/4095/2025 dated 26.08.2025 and quash the same as illegal and consequently to direct the respondents to rectify the errors in the revenue records and issue patta in favour of the petitioner in respect of the property comprised in Old Survey Nos.2965 (0.80) and 2967 (0.86) and Re-Survey Nos.282/8, 283/3 and 283/4, situated at Churulacode Village (now Thiruvattur), Kalkulam Taluk, Kanyakumari District, within a time frame to be stipulated by this Court.



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

3. The learned counsel appearing for the petitioner would submit that the impugned order rejecting the petitioner's request for transfer of patta was passed without taking into consideration the judgments of the Civil Courts in O.S.No.172 of 1975 dated 30.10.1985, on the file of the Principal District Munsif Court, Padmanabhapuram and in A.S. No.5 of 1989 dated 19.04.1990, on the file of the Sub Court, Padmanabhapuram. According to the petitioner, the suit was filed against the Government.

4. From a perusal of the impugned order, it is seen that the civil suit proceedings before the competent Civil Courts have not been discussed in the impugned order. If the Civil Court has passed any decree in favour of the petitioner and against the Government, it is for the Government to challenge the same before the competent appellate forum in the manner known to law. Suppressing the earlier civil litigation, the fourth respondent has passed the impugned order. Hence, the impugned order is liable to be set aside.



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5. Accordingly, the impugned order is set aside and the matter is remitted to the fourth respondent for fresh consideration. The fourth respondent is directed to take into account the earlier civil proceedings and thereafter pass appropriate orders with regard to issuance of patta, on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is needless to state that before passing such orders, the petitioner as well as all other interested parties shall be afforded an opportunity of hearing.

6. With the above observations, this Writ Petition is disposed of. No costs.

[K.SURENDER, J.]

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Index : Yes / No

Neutral Citation : Yes / No

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