



W.P.(MD)No.6044 of 2026

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

**DATED: 06.03.2026**

**CORAM**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD).No.6044 of 2026**

A.Subathira Devi

... Petitioner

Vs.

1. The Tahsildar,  
O/o. Tahsildar , Thoothukudi,  
Thoothukudi District.

2. The Village Administrative Officer,  
Sankaraperi Village,  
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, Calling for the records pertaining to the impugned proceedings passed by the 1<sup>st</sup> Respondent in File No. 2026/0103/28/004809 dated 01.03.2026 and quash the same as illegal, and consequently direct the Respondents to issue patta transfer in favor of the petitioner for the property comprising an extent of 1.47.50 hectares bearing survey No. 242/9F in Sankaraperi Village, Thoothukudi District mutated in patta No. 1680, within the time that may be stipulated by this Court.



W.P.(MD)No.6044 of 2026

WEB COPY

For Petitioner : Mr.A.S.Murugan

For Respondents : Mr.SRA.Ramachandran  
Additional Government Pleader

### **ORDER**

This Writ Petition has been filed to quash the impugned order passed by the 1<sup>st</sup> respondent and consequently, direct the respondents to issue transfer of patta in the name of the petitioner.

2. The learned counsel appearing for the petitioner submitted that the first respondent rejected the petitioner's application on the ground that the Will was not registered, as the petitioner claims rights over the property through an unregistered Will. It was further stated that, as per the said Will, the petitioner's grandfather, Ramasamy Nadar, had four sons and three daughters, namely R. Balagurusamy, R. Thangaraj, R. Krishnan, R. Bathmanathan, Velammal, Mariyammal, and Kaleeswari, who were declared as his legal heirs and entitled to his self-acquired properties. However, one specific property in Survey No. 242/9F, measuring an extent of 3 acres and 64 cents, was allotted to the petitioner



**W.P.(MD)No.6044 of 2026**

WEB COPY

through his elder son, Balagurusamy, at a time when the petitioner was a minor. Therefore, the petitioner claims entitlement to the said property and seeks transfer of patta in her name.

3. Heard the learned Additional Government Pleader appearing for the respondents.

4. Considering the above facts, the petitioner, who claims rights over the property based on a Will, is entitled to an individual patta. It is a settled proposition of law that registration of a Will is not mandatory. Therefore, the respondent cannot refuse the transfer of patta on the ground that the Will is unregistered. In the event of any dispute raised by rival claimants, the petitioner is at liberty to approach the competent civil court. For the purpose of patta transfer, the Will shall be treated as legally valid, and the petitioner is entitled to have the patta transferred in her name. Consequently, the impugned order is quashed, and the respondents are directed to transfer the patta in favour of the petitioner.



6. With these directions, this Writ Petition is disposed of. No costs.

Index : Yes / No  
Internet : Yes  
NCC : Yes / No  
msrm

1. The Tahsildar,  
O/o. Tahsildar , Thoothukudi,  
Thoothukudi District.
2. The Village Administrative Officer,  
Sankaraperi Village,  
Thoothukudi District.
3. The Additional Government Pleader,  
Madurai Bench of Madras High Court,  
Madurai



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**W.P.(MD)No.6044 of 2026**

**S.SRIMATHY, J**

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**Order made in  
W.P.(MD)No.6044 of 2026**

**06.03.2026**