



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-03-2026

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THE HONOURABLE MRS JUSTICE S.SRIMATHY



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WP(MD) NO. 6510 of 2026

A.G.Sekar

Petitioner(s)

Vs

1. The District Collector
Thoothukudi District
Thoothukudi.

2. The Thasildhar
Eral Taluk
Thoothukudi District.

3. The Zonal Deputy Thasildhar
Eral Taluk
Thoothukudi District.

4. The Sub Registrar
Eral Sub Registrar Office
Thoothukudi District.

5. Thabasukaran

Respondent(s)

For Petitioner(s): Mr.C.Geetha

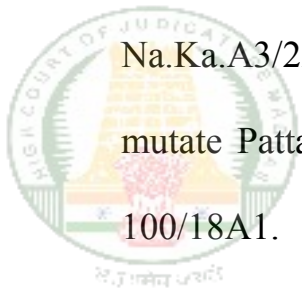
For Respondent(s): Mr.SRA.Ramachandran, Additional Government Pleader for R1 to R4

Prayer:

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Order passed by the 2nd Respondent in Na.Ka.A3/220/2026 dated 19.02.2026 and quash the same as illegal, arbitrary and non-application of mind and consequently direct the 2nd Respondent to mutate Patta in the petitioner favour in respect of the property in Ayan Nanja Survey No. 100/18A1.

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the 2nd respondent in



Na.Ka.A3/220/2026 dated 19.02.2026 and consequently, to direct the 2nd Respondent to mutate Patta in the petitioner favour in respect of the property in Ayan Nanja Survey No. 100/18A1.

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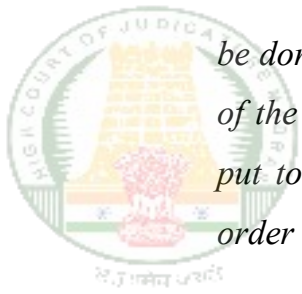
2.The contention of the petitioner is that the 5th respondent is the original owner of the property and subsequently, the 5th respondent has sold the property to his son Ajay. The petitioner has purchased the property from the said Ajay on 23/03/2025. However, there is a rival claim to the said property.

3.Therefore, a suit was filed by the rival claimant in O.S.No.32 of 2025 on the file of the Sub Court, Srivaikundam and the same is pending. In the said suit, the petitioner is not arrayed as a party. In such circumstances, the petitioner is seeking mutation but the same may be subject to the result of the pending suit for which the petitioner is relying on the order, dated 19.02.2024, in WP(MD)No.3627 of 2024. In the said order, it has been held that when the patta stands in the vendor's name by virtue of a sale, the subsequent purchaser is entitled to patta, since he is stepping into the shoes of the vendor. The relevant portion of the order is extracted hereunder:

"4.The well settled principle is that the purchaser from a pattadar is entitled to step into the shoes of the pattadar. Revenue Standing Order 31 is clear and categorical on the point. While considering challenge to a similar order in W.P.(MD)No.14862 of 2022, I had held as follows:-

"3.The impugned order has to be set aside for the simple reason that mutation sought for by the petitioner was something automatic. The petitioner's vendor was admittedly the pattadar. Therefore, by virtue of purchase, the petitioner was entitled to step into his shoes.

4.In this view of the matter, the impugned order is set aside. The first respondent is directed to substitute the name of the petitioner in the place of her vendor. This shall



be done immediately and without any delay. It is however made it clear that the order of the writ petitioner will abide by the outcome of the civil suit." The said order was put to challenge in W.A.(MD)No.111 of 2024 and the Hon'ble Division Bench vide order dated 02.02.2024 declined to interfere."

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4. In the present case, the petitioner's patta stands in the name of the petitioner's vendor, namely the 5th respondent. Therefore, the petitioner submits that the petitioner is stepping into the shoes of the 5th respondent and therefore, he is entitled to patta.

5. This Court is of the considered opinion that when the suit is pending, even the patta can be issued but the same is subject to the result of the suit. The petitioner undertook to implead himself in the suit. The said statement is recorded. Since the suit is pending, the petitioner is restrained from selling the property or encumbering the property. Therefore, the impugned order is quashed and the respondents shall mutate the patta in the name of the petitioner, but the same is subject to the result of the suit.

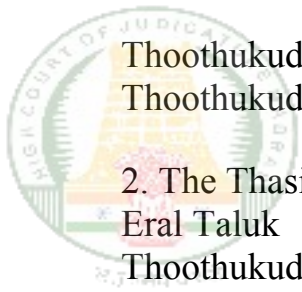
3. With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

11-03-2026

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To

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