



W.P.(MD)No.7746 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2026

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.7746 of 2026
and WMP(MD).No.6332 of 2026

Santhanakrishnan

... Petitioner

Vs.

1. The Sub Collector,
Sivakasi, Virudhunagar District.

2. The Tahsildar,
Srivilliputhur,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the Impugned communication between the second respondent to first respondent in No.Mu.Mu.A3/4190 of 2024 dated 22.10.2025 and quash the same and consequently directing the respondents to issue Joint Patta to the petitioner in Survey No.147/33, Pillayarkulam Village, Srivilliputhur Taluk, Virudhunagar



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District within time stipulated by this Court.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

This petition has been filed seeking to call for the records of the Impugned communication between the second respondent to first respondent in No.Mu.Mu.A3/4190 of 2024 dated 22.10.2025 and quash the same and consequently directing the respondents to issue Joint Patta to the petitioner in Survey No.147/33, Pillayarkulam Village, Srivilliputhur Taluk, Virudhunagar District within time stipulated by this Court.

2. The learned counsel for the petitioner submitted that the property originally belonged to one M.S. Prathasarathy, who sold it to Vedhantham Iyengar through a valid registered sale deed bearing Doc. No. 32 of 1943 dated 06.01.1943, on the file of the Sub-Registrar, Srivilliputhur. Subsequently, the



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petitioner's mother purchased the said property from Vedhantham Iyengar by way of a registered sale deed bearing Doc. No. 1323 of 1943 dated 07.05.1943. After the demise of the petitioner's mother, the property devolved upon her legal heirs, namely the petitioner and his brothers, K. Ramasamy, K. Rengarajan, and K. Soundararajan. Thereafter, the petitioner and his brothers submitted a representation to the District Collector on 15.12.1997 seeking issuance of a joint patta. The petitioner also made several subsequent representations to the concerned authorities, including the Village Administrative Officer. Despite these efforts, the respondents failed to issue the joint patta and eventually rejected the petitioner's claim through the impugned order. Aggrieved by the same, the petitioner has filed the present writ petition seeking issuance of a joint patta.

3. The learned Additional Government Pleader submitted that the petitioner's mother had purchased the property; however, the document does not mention the survey number or the extent of the property. It was further stated that the encumbrance certificate from 1940 onwards was examined and revealed no encumbrances. A spot inspection was also conducted, and a detailed report was



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submitted by the Village Administrative Officer, who stated that the land is classified as “Kalimanai,” is available on the field, and was supported by a colour sketch. Nevertheless, the respondents rejected the petitioner’s claim on the ground that the document does not specify the survey number or the extent of the property.

4. The learned counsel for the petitioner further submitted that the document in question was registered in the year 1943, at which point survey numbers were not assigned, and therefore the same was not mentioned in the document. However, upon perusal of the encumbrance certificate issued by the Sub-Registrar, it is evident that the manual encumbrance certificate covering the period from 01.01.1940 to 31.12.1965 contains the four boundaries and the extent of the property is under:-



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5. In such circumstances, the respondent cannot reject the request for issuance of patta solely on the basis of the sale deed. Accordingly, the impugned order is set aside. The 2nd respondent is directed to issue patta by taking into consideration the sale deed, the encumbrance register, and the encumbrance certificate produced before this Court. Further, the 2nd respondent is directed to issue a joint patta in favour of the legal heirs of the petitioner's deceased brother.

6. The said exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

24.03.2026

Index : Yes / No
Internet : Yes
NCC : Yes / No
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To

1. The Sub Collector,
Sivakasi, Virudhunagar District.
2. The Tahsildar,
Srivilliputhur,
Virudhunagar District.
3. The Additional Government Pleader,
Madurai Bench of Madras High Court,
Madurai



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S.SRIMATHY, J

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**Order made in
W.P.(MD)No.7746 of 2026
and WMP(MD).No.6332 of 2026**

24.03.2026