



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-03-2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP(MD) NO. 8230 of 2026

Perumayi

Petitioner(s)

Vs

1. The Tahsildar
Usilampatti Taluk
Madurai District.

2. The Zonal Deputy Tahsildar
Usilampatti Taluk
Madurai District.

3. Dhanalakshmi

Respondent(s)

For Petitioner(s): Mr.P.Praveenkumar

For Respondent(s): Mr.A.Oliraja, Government Advocate for R1 and R2

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the respondents 1 and 2 to consider the petitioners application in No.2026/0103/24/010938 dated 04.03.2026 and consequently issue separate patta in favour of the petitioner in respect of the property comprised in Survey No. 213/3A3, Pothampatti Village, Nalluthevanpatti, Usilampatti Taluk Madurai District, measuring an extent of 10 cents out of 20 cents, within a time frame fixed by this Court.

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to consider the petitioner's application in No. 2026/0103/24/010938 dated 04.03.2026 and consequently issue separate patta in



favour of the petitioner in respect of the property comprised in Survey No. 213/3A3, Pothampatti Village, Nalluthevanpatti, Usilampatti Taluk Madurai District, measuring an extent of 10 cents out of 20 cents, within a time frame fixed by this Court.

2.The contention of the petitioner is that the property in survey No. 213/3A3 to an 20 cents out of 48 cents was originally owned by one Aathan, who executed a registered settlement dated 22.02.2018 in Document No.739 of 2018 in favour of the petitioner's son namely, Sekar. Thereafter, the said Sekar was in possession and enjoyment of the property. Unfortunately, the petitioner's son Sekar died on 10/09/2020, leaving the petitioner and the third respondent / daughter-in-law. The petitioner claims that after the demise of the son, both the petitioner and the third respondent are in joint possession and enjoyment of the property.

3.Further, the petitioner submitted that due to old age and medical conditions, she needs fund. Hence, she is intended to sell the property. In order to sell the property, the petitioner seeks separate patta.

4.The learned Government Advocate appearing for the official respondents submitted that there is no partition deed, hence, the petitioner cannot seek joint patta. The said submission is recorded. Therefore, the petitioner and the third respondent shall



submit a joint undertaking affidavit to the Tahsildar stating that they have already partitioned the property and the petitioner is entitled to 10 cents and the third respondent is entitled to 10 cents. The joint undertaking affidavit shall also indicate which portion belongs to whom. On such undertaking, the official respondents shall consider and issue separate patta to the petitioner's portion. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

26-03-2026

Tmg

To

1. The Tahsildar
Usilampatti Taluk
Madurai District.

2. The Zonal Deputy Tahsildar
Usilampatti Taluk
Madurai District.