



W.P.(MD)No.10657 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.10657 of 2026

N.Moideen Pichai

... Petitioner

Vs.

1. The District Collector,
Tenkasi District,
Tenkasi.

2. The District Revenue Officer,
Tenkasi District,
Tenkasi.

3. The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.

4. The Tahsildar,
Sivagiri,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 4th Respondent to grant patta in respect of the property situated at Survey No.1249/2 New Survey No.1548/1 &



W.P.(MD)No.10657 of 2026

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1548/2 of 16 cents of vacant land in Viswanathaperi Village, Sivagairi Taluk, Tenkasi District based on the petitioner's representation dated 01.04.2026 within a stipulated time frame as fixed by this Court.

For Petitioner : Mr.N.Mohideen Basha

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the 4th Respondent to grant patta in respect of the property situated at Survey No.1249/2 New Survey No. 1548/1 & 1548/2 of 16 cents of vacant land in Viswanathaperi Village, Sivagairi Taluk, Tenkasi District based on the petitioner's representation dated 01.04.2026 within a stipulated time frame as fixed by this Court.

2. The learned counsel for the petitioner submitted that the subject property originally belonged to the petitioner's father, Nagoor Sha Rowther, who was in possession and enjoyment of the same. However, the revenue records classified the property in Old Survey No.1249/2 as Government poramboke land. Challenging this classification, the petitioner's father filed a suit in O.S. No.134



W.P.(MD)No.10657 of 2026

WEB COPY

of 1983 against the Viswanathaperi Panchayat before the District Munsif Court, Sankarankovil, which was dismissed. Aggrieved by the dismissal, he preferred an appeal in A.S. No.32 of 1987 before the Sub Court, Tenkasi, and the same was allowed on 08.02.1989. The Viswanathaperi Panchayat subsequently filed a second appeal in S.A. No.363 of 1989 before this Court, which came to be dismissed on 06.11.2001. Consequently, the property in Survey No.1249/2 was declared as private Natham land. In the meantime, the petitioner's father passed away on 06.11.1997, and his legal heirs were brought on record in the proceedings. Thereafter, the petitioner took steps to obtain patta for the said property and submitted all relevant documents to the District Collector and the District Revenue Officer. The District Revenue Officer, having accepted the documents through communication dated 23.10.2024, but the proceedings still pending. In these circumstances, the petitioner seeks issuance of patta for the said property.

3. The learned Additional Government Pleader appearing for the respondents submitted that the earlier suit was filed only against the Viswanathaperi Panchayat, and neither the District Collector nor the District



W.P.(MD)No.10657 of 2026

WEB COPY

Revenue Officer were made parties to the proceedings. Therefore, the judgment and decree passed in the said suit are not binding on the respondents.

4. However, the petitioner submitted that the petitioner comes under landless poor category and are in occupation of land. The petitioner claims entitlement to the property on the basis of long and continuous possession, stating that they have constructed a structure on 5 cents of the land. Therefore, the petitioner seeks grant of patta for the said property.

5. After considering the rival submissions, this Court is of the view that the Government has already issued an order granting land to landless poor persons, though the extent is limited to two or three cents. In the present case, the petitioner is in occupation of more than 16 cents of land. Therefore, the petitioner is not entitled to patta for the entire extent of 16 cents.

6. Accordingly, the respondents are directed to consider the petitioner's claim for grant of patta in accordance with the said Government Order and the



W.P.(MD)No.10657 of 2026

WEB COPY

applicable rules. It is admitted that pattas have been granted to landless poor persons only to an extent of two or three cents. The District Collector is directed to consider the petitioner's application in the light of the Government Order and pass appropriate orders within a period of twelve (12) weeks from the date of receipt of a copy of this order. Further, the suit filed against the local body is not binding on the Government.

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

16.04.2026

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



W.P.(MD)No.10657 of 2026

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4. The Tahsildar,
Sivagiri,
Tenkasi District.
5. The Additional Government Pleader,
Madurai Bench of Madras High Court,
Madurai



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W.P.(MD)No.10657 of 2026

S.SRIMATHY, J

msrm

**Order made in
W.P.(MD)No.10657 of 2026**

16.04.2026