



W.P.(MD) No.19319 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.19319 of 2023

and

W.M.P.(MD) Nos.15994, 15996, 15998 & 19348 of 2023

S.Venkateshwaran

... Petitioner

Vs.

1.The Tahsildar,
Theni Taluk and District.

2.The Sub Registrar,
Theni.

3.R.Annalakshmi

4.S.Jeevarathinam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the first respondent to remove the entry with respect to the land in S.No.245/1B, Veerapandi Village, Theni Taluk and District in Patta No.5261 standing in the name of the third respondent and consequently direct the first respondent to restore the entry in S.No.245/1B1, Veerapandi Village, Theni Taluk and District in Patta No.9391 standing in the name of the petitioner within a time frame fixed by this Court.



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For Petitioner : Mr.P.Ganapathi Subramanian

For R1 & R2 : Mr.S.Kameswaran
Government Advocate

For R3 & R4 : Mr.K.Appadurai

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to remove the entry relating to the land in S.No.245/1B, Veerapandi Village, Theni Taluk and District, in Patta No.5261, standing in the name of the third respondent and consequently direct the first respondent to restore the entry in S.No. 245/1B1, Veerapandi Village, Theni Taluk and District, in Patta No.9391, standing in the name of the petitioner, within the time frame fixed by this Court.

2. The grievance of the petitioner is that he purchased the land in S.Nos.245/1A1, 245/1B1, and 245/1C1, measuring an extent of 6,540 sq.ft., from the legal heirs of one Andavar. A patta in Patta No.9391 was granted to the petitioner in respect of the above properties. However, the third respondent made an application for transfer of the patta in respect of



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the land in S.No.245/1B. Since the hearing was postponed, the petitioner did not appear for the enquiry. The first respondent, without hearing the petitioner, removed the property in S.No.245/1B1 from the petitioner's patta and included it in the patta granted to the third respondent. The petitioner also submitted a representation dated 28.07.2023 to the first respondent, which has not been considered.

3. The learned counsel appearing for the third and fourth respondents would submit that a civil suit is pending between the parties in O.S.No.79 of 2023 on the file of the District Munsif Court, Theni and that the pendency of this Writ Petition has come in the way of proceedings in the civil court.

4. The learned Government Advocate appearing for the first and second respondents would submit that the petitioner's representation dated 28.07.2023 would be considered and appropriate orders would be passed by the first respondent within a period of eight weeks.

5. Recording the above submission and without expressing any opinion on the merits of the matter, this Writ Petition is disposed of with a



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direction to the first respondent to consider the petitioner's representation dated 28.07.2023 and pass appropriate orders on its merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The representation shall be disposed of after conducting an enquiry. The first respondent is also directed to provide a reasonable opportunity of hearing to the petitioner, the private respondents and any other interested parties who may be affected by such decision before passing any order. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

[K.SURENDER, J.]
03.02.2026

JEN
Index : Yes / No
Neutral Citation : Yes / No

To

- 1.The Tahsildar,
Theni Taluk and District.
- 2.The Sub Registrar,
Theni.



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