



W.P.(MD)No.36607 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.36607 of 2025

A.Vijayakumar

... Petitioner

-VS-

1.The Revenue Divisional Officer,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Kalayarkoil, Sivagangai District.

3.The Regional Deputy Tahsildar,
Maravamangalam,
Sivagangai District.

4.Rameshkumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent not to effect any mutation the Patta request of the fourth respondent by considering the objections of the petitioner dated 27.11.2025 and 08.12.2025 and to pass orders therein within the stipulated time fixed by this Court.

For Petitioner : Mr.K.Chengizkhan

For R1 to R3 : Mr.B.Ramanathan
Additional Government Pleader



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ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, directing the second respondent not to effect any mutation of the Patta request made by the fourth respondent, while considering the objections raised by the petitioner on 27.11.2025 and 08.12.2025, and to pass orders thereon, within the time frame to be stipulated by this Court..

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Since no adverse orders are going to be passed against the fourth respondent, notice to the fourth respondent is hereby dispensed with.

4. According to the petitioner, the property in question originally belonged to his father and one Pitchai @ Pitchappakone, who was the maternal uncle of the petitioner's father. After their deaths, the petitioner and the legal heirs acquired their respective shares and have been in possession and enjoyment of the said properties. However, one Meenatchi has created a fraudulent sale deed dated



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18.02.2005, claiming that the legal heirs of Pitchai, namely, Nagalingam and Punitha, executed the said sale deed. The said Nagalingam and Punitha had no rights over the property of the petitioner's father. Further, one Jeyakannu has also created a forged sale deed dated 10.03.1993 in respect of the petitioner's property in Survey No.290. Consequently, the petitioner and the other legal heirs have filed a suit in O.S.No.424 of 2020 before the Sub Court, Sivagangai, against the legal heirs of Pitchai and other individuals who created fraudulent sale deeds, seeking a declaration that the sale deeds and all subsequent transactions concerning the property in Survey No.290 are null and void, and for partition. The said suit is still pending. Meanwhile, the legal heirs of Jeyakannu have sold the subject matter of the suit property to the fourth respondent, who has applied for Patta. Therefore, the petitioner submitted objections to the respondents on 27.11.2025 and 02.08.2025. Since these objections have not been considered so far, the petitioner has filed the present Writ Petition seeking a direction to the second respondent not to effect any mutation of the Patta request made by the fourth respondent.



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5. The learned Additional Government Pleader appearing for the respondents 1 to 3 submits that the validity of the sale deeds in question, including those purportedly executed by Nagalingam and Punitha, as well as the forged sale deed executed by Jeyakannu, falls within the jurisdiction of the civil court. The issues raised by the petitioner, pertaining to the ownership, validity of the sale deeds, and the right to the property in question, are already subject to the proceedings in O.S.No.424 of 2020 before the Sub Court, Sivagangai.

6. This Court, after considering the submissions made by both sides, notes that the issues concerning the ownership, validity of the sale deeds, and the rights over the property in Survey No.290 are already the subject matter of the ongoing civil suit in O.S.No.424 of 2020 before the Sub Court, Sivagangai and that any decision regarding the mutation of the Patta should await the findings of the civil court in the pending suit.

7. In view of the above, this Court directs that the application for mutation of Patta filed by the fourth respondent will be considered and disposed of on the basis of the findings to be rendered by the civil court in O.S.No.424 of 2020.



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Until such time as the civil court renders its judgment, no mutation shall be effected in favour of the fourth respondent.

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

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
02.01.2026

To:-

- 1.The Revenue Divisional Officer,
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