

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-06-2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP(MD) NO. 10320 of 2026

Guruvammal

Petitioner(s)

Vs

1. The District Collector
Virudhunagar
Virudhunagar District.

2. The Revenue Divisional Officer
Revenue Divisional Office
Aruppukkottai
Virudhunagar District.

3. The Tahsildar
Thiruchuli Taluk
Virudhunagar District.

4. Rajeshwari

Respondent(s)

For Petitioner(s): Mr.B.Kumaresan

For Respondent(s): Mr.S.Siva Thilakar, Counsel for State of Tamil Nadu for R1 to 3
Mr.A.Srinivasan For R4

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS directing the respondents 2 and 3 to cancel the Patta in Patta No. 1259 in favour of the 4th respondent and thereby restore the patta in the petitioners husband name in respect of the property in survey No.138/6 with an extent of 0.3.50 hectares situated at Mayaleri Village, Thiruchuli Taluk, Virudhunagar District within stipulated time fixed by this Court based on the petitioner's representation dated 27.11.2025.



ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents 2 and 3 to cancel the Patta in Patta No. 1259 in favour of the 4th respondent and thereby restore the patta in the petitioners husband name in respect of the property in survey No.138/6 with an extent of 0.3.50 hectares situated at Mayaleri Village, Thiruchuli Taluk, Virudhunagar District within stipulated time fixed by this Court based on the petitioner's representation dated 27.11.2025.

2.The brief facts are that the petitioner's husband namely, Ganesan is entitled to the property in survey No.138/6 with an extent of 0.3.50 hectares. The petitioner's husband was in possession of several properties. One property was settled in favour of the petitioner through settlement deed, dated 29.02.2012. He has sold some of the properties in Doc.Nos.291 of 2012 and 705 of 2008 and again, he has executed another settlement deed in Doc.No.293 of 2012 executed in the name of one Gurusamy. While the facts being so, the 4th respondent has submitted an application to cancel the patta which stands in the name of the petitioner and issue patta in the name of the 4th respondent. The respondents have considered the said application and patta was issued in the name of the 4th respondent.

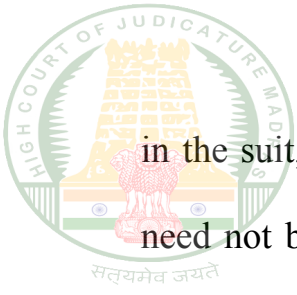
3.The contention of the petitioner is that the said patta was transferred in the name of



the 4th respondent without issuing notice to the petitioner. When the settlement deed was executed in the name of the petitioner, the petitioner is entitled to the possession of the property. Suddenly, the respondents changed the patta in the name of the 4th respondent. Even though the settlement deed was executed in the name of the petitioner, the patta was not transferred in the name of the petitioner which stood in the name of the petitioner's husband alone. Now, the present writ petition is filed to cancel the same. The petitioner claims she is the second wife of the said Ganesan. However, the same was disputed by the 4th respondent who is the daughter of the first respondent.

4. Admittedly, a suit has been filed by the 4th respondent in O.S.No.18 of 2026 on the file of Sub Court, Arupukottai and the same is pending in the said suit. The petitioner is arrayed as first defendant along with the other persons who are the purchasers of the same properties. Now, the issue whether patta can be issued in the name of the 4th respondent.

5. The contention of the petitioner is when the settlement deed has been executed in the name of the petitioner by the petitioner's husband, then patta cannot be issued in the name of the 4th respondent. Even though the 4th respondent is the legal heir of the deceased Ganesan, this Court is of the considered opinion when the issue is also pending before the competent Civil Court, and the settlement is also being questioned



in the suit, it is appropriate to keep the patta in the name of the Ganesan. The patta need not be issued either to the petitioner or to the 4th respondent. The issuance of patta shall be considered after the disposal of this suit. Until then, the patta shall stand in the name of the Late.Ganesan alone. As far as the possession is concerned, when the settlement deed was executed by the Late.Ganesan, the petitioner is entitled to the possession. However, the 4th respondent disputed the same since after the demise of the said Ganesan, the 4th respondent has forcefully taken the possession. Therefore, both the petitioner as well the 4th respondent are restrained from taking possession of the property until disposal of the suit.

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

11-06-2026

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

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To

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Virudhunagar District.



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Aruppukkottai
Virudhunagar District.

3. The Tahsildar
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