

W.P(MD)No.20877 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 31.07.2025

CORAM :

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

W.P(MD)No.20877 of 2025

and

W.M.P.(MD)No.16156 of 2025

S.Rajeswari

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Officer,
Ramanathapuram,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.
- 4.The Tahsildar,
Taluk Office, Mudhukulathur,
Ramanathapuram District.

5.K.Selvaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 3rd respondent in Pa.Mu.(A4)/6752/2024, dated 13.06.2025 and quash the same and consequently, to direct the 3rd respondent to conduct a fresh enquiry



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proceedings in Na.Ka.No.A4/11232/02024, dated 02.07.2025 and pass order within the time frame that may be stipulated by this Court.

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For Petitioner : Mr.P.Ranjithkumar
For R1 to R4 : Mr.A.Baskaran,
Additional Government Pleader

ORDER

This Writ Petition is filed, challenging the order passed by the 3rd respondent allowing the application filed by the 5th respondent seeking cancellation of patta issued in the name of the petitioner's father, namely, Chellakannu and restoration of patta in the name of the said Chellakannu and his siblings and their mother.

2.From the affidavit filed in support of this Writ Petition as well as the impugned order, it is clear that the petitioner herein claims right over the subject property based on an unregistered partition deed entered between the petitioner's father and his siblings dated 20.09.2000. The unregistered partition deed cannot be considered to establish the allotment of the share to the petitioner's father. The questions whether the said document can be treated as family arrangement and whether it was acted upon etc., have to be decided only by the competent civil Court. The revenue officials cannot go into those issues.



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Therefore, the 3rd respondent has rightly set aside the patta issued in favour of the petitioner's father by the 4th respondent based on unregistered partition deed and restored the patta in the name of the petitioner's father, his siblings and their mother, who are all to be treated as co-owners in the absence of valid partition.

3.In view of the above, I do not find any error in the order passed by the 3rd respondent and hence, this Writ Petition stands dismissed. It is made clear that the dismissal of this Writ Petition will not come in the way of the petitioner establishing her alleged exclusive right over the property before the civil Court. No costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes / No
Index : Yes / No

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To

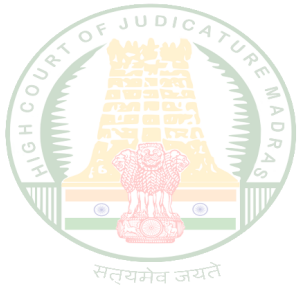
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3. The Revenue Divisional Officer,
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S. SOUNTHAR, J

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