

W.P(MD)No. 20902 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :**23.07.2026**

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P(MD)No. 20902 of 2026

and

W.M.P.(MD) No.15512 of 2026

Esakkiammal

... Petitioner

Vs

1. The District Collector,
Thoothukudi District.

2. The Revenue Divisional Officer,
Kovilpatti Division,
Thoothukudi District.

3. The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.

4. The Zonal Deputy Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.

5. The Village Administrative Officer,
P.Duraichampuram Village,
Ottapidaram Taluk,
Thoothukudi District.

... Respondents



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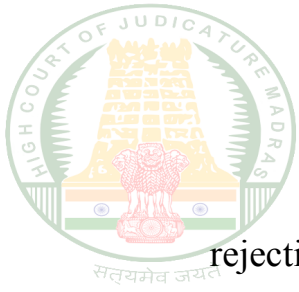
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned rejection order passed by the fourth respondent in File No. 2026/0103/28/033441 dated 24.06.2026 and quash the same as illegal and consequently, direct the respondents to issue a Patta in the name of the petitioner for the property situated in Survey No. 379/4, Plot No. 138 in P. Duraisampuram village, Ottapidaram Taluk, Thoothukudi District to an extent of 3 cents in the light of the judgment rendered in O.S.No.397 of 2023 on the file of the Additional District Munsif Court, Thoothukudi, by considering the petitioner's application No.2026/0103/28/033441 dated 24.06.2026.

For Petitioner : Mr. B.Ajaybrabu
For Respondents : Mr.K.Saravanan
Counsel for State of TN

ORDER

Mr.K.Saravanan, learned Counsel for State of TN takes notice for the respondents.

2. The present Writ Petition has been filed to quash the impugned



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rejection order passed by the fourth respondent in File No. 2026/0103/28/033441 dated 24.06.2026 and consequently, direct the respondents to issue a patta in the name of the petitioner in respect of the property situated in Survey No. 379/4, Plot No. 138 in P. Duraisampuram village, Ottapidaram Taluk, Thoothukudi District to an extent of 3 cents, in the light of the judgment and decree rendered in O.S.No.397 of 2023 on the file of the Additional District Munsif Court, Thoothukudi, by considering the petitioner's application No. 2026/0103/28/033441 dated 24.06.2026.

3. The facts of the case are that the petitioner has purchased the subject property vide Doc.No.2423/2015 dated 05.11.2015 from one R.Saravanakumar. The said vendor has purchased several properties including the subject property by way of a registered Sale Deed in Doc.No.3178/2012 dated 17.08.2012. After purchasing the property, the petitioner's vendor has formed layout in the name of 'Shri Ashikaa City' and the revenue records were also mutated and patta was also standing in the name of the petitioner's vendor in Patta No.980. Further, the said property was subdivided and sold to various persons, thereby the



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petitioner also purchased the said property.

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4. Further, as there was a dispute between the petitioner's vendor and the Government, the petitioner's vendor has filed a suit in O.S.No. 397 of 2023 on the file of the Additional District Munsif Court, Thoothukudi, for declaration and permanent injunction as against the respondents therein. The said suit was allowed in favour of the petitioner's vendor *vide* judgment and decree dated 28.08.2014. Hence, as the petitioner is having valid title over the property, he applied for patta. However, the same was rejected without assigning any reason. Hence, the petitioner is before this Court.

5. The learned Counsel for State of TN for the respondents submits that the said property was originally assigned to the legal heirs of Veerapandia Kattabomman, with a condition that they cannot encumber the property. Therefore, the sale of the subject property to the petitioner's vendor is illegal. Hence, he prayed to dismiss this Writ Petition.

6. Heard the learned counsel for the petitioner and the learned



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Counsel for State of TN for the respondents.

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7. A perusal of the judgment and decree in O.S.No.397 of 2023 dated 28.08.2014 reveals that in the suit also, the respondents took the same stand that the said property was originally assigned to the legal heirs of Veerapandia Kattabomman, with a condition that they cannot encumber the property and the sale of the property to the petitioner's vendor is illegal. After considering the said submission, the suit was decreed in favour of the petitioner's vendor. Hence, the respondents cannot take same stand in passing the impugned order. Further, the impugned order is a non-speaking one word order and the same is passed without assigning any reason. Therefore, there is a violation of principles of natural justice. Therefore, the impugned order is set aside and the case is remitted back to the third respondent to pass a fresh order.

8. The third respondent shall issue a fresh order, after issuing notice to the petitioner and after conducting an enquiry by granting personal hearing, on merits and in accordance with law within twelve (12) weeks from the date of receipt of a copy of this order.



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9. Accordingly, this Writ Petition is allowed. No costs.

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Consequently, connected miscellaneous petition is closed.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

23.07.2026

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S.SRIMATHY.,J.

apd

ORDER MADE IN

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