



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.06.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.7240 of 2014

WEB COPY

M.Syed Mohamed

... Petitioner

Vs.

1.The District Revenue Officer,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Trichy Division,
Trichy District.

... 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 relating to the impugned order passed by the first respondent in his proceedings in Na.Ka.No.A5/10190/2012, dated 14.02.2014 and quash the same as illegal and consequentially directing the first respondent to grant patta in respect of lands in Town Survey No.2270, Trichy Town in favour of the petitioner within the time that may be stipulated by this Court.

For Petitioner : Mr.J.Hariharan

For Respondents : Mr.N.Muthu Vijayan

Special Government Pleader

ORDER

The present writ petition has been filed challenging an order passed by the District Revenue Officer on 14.02.2014, under which the request of the petitioner for grant of patta was rejected on the ground that it is a Kulam Poramboke.

2. The learned counsel for the petitioner submits that it is not Kulam Poramboke, it is a private patta land. He has annexed eight documents along with appeal memorandum, dated 23.04.2012. Without considering any one of the documents, the impugned order has been passed stating that the petitioner has not produced any documents at all. Hence, the petitioner contends that the matter may be remitted back to the District Revenue Officer for fresh consideration in the light of all the documents filed by him along with appeal memorandum.

3. Per contra, the learned Special Government Pleader for the respondents submits that all these documents were considered by the Distirct Revenue Officer and only thereafter, they have arrived at a



finding that it is a Kulam Poramboke and the petitioner is not entitled to patta.

4. I have carefully considered the submissions made on either side.

5. The operative portion starts at page 13 of the impugned order. From the impugned order, it could be seen that except the village accounts, none of the documents have been considered by the first respondent. Hence, the learned counsel for the petitioner is right in contending that the eight documents annexed by him along with the appeal memorandum have not been considered by the first respondent, herein.

6. Since there is a procedural irregularity in not considering any one of the documents filed by the petitioner, the order impugned is set aside. The matter is remitted back to the first respondent herein for fresh consideration after giving due opportunity to the petitioner. The first respondent shall pass a reasoned order after considering all the documents filed by the petitioner along with the memorandum of grounds of appeal. The said exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order.

7. With the above observations, the writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

sn

To

1.The District Revenue Officer,
Trichy District, Trichy.

2.The Revenue Divisional Officer,
Trichy Division, Trichy District.

+1 CC to M/s.SPL.GP (SR-27687[F] dated 23/06/2022)

+1 CC to M/s.J. HRIHARAN, Advocate (SR-27922[F] dated 24/06/2022)

W.P(MD)No.7240 of 2014

22.06.2022

RD(01.07.2022) 2P 5C