



WP.No.13396 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.13396 of 2024 & WMP.No.14546 of 2024

Selvambal

.. Petitioner

Versus

1. The District Collector,
O/o.District Collectorate, Namakkal District.
2. The District Revenue Officer,
Namakkal District.
3. The Revenue Divisional officer,
Namakkal Division, Namakkal District.
4. The Tahsildar,
Sendamangalam Taluk, Namakkal District.
5. The Head Surveyor,
Tahsildar Office, Sendamangalam Taluk, Namakkal District.
6. The Revenue Inspector,
O/o.Revenue Inspector, Sendamangalam Taluk, Namakkal District.
7. R.Muthaiya .. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the Order made by the fourth respondent in 2024/0105/09/270079



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dated 29.03.2024 and to quash the same and to direct the fourth respondent to survey the land and to issue a separate patta in Survey No.132/7 to the petitioner at Pottanam Village, Sendamangalam Taluk, Namakkal District as per sale deed No.891/2004 dated 17.05.2004.

For Petitioner : Mr.K.Kathiresan

For Respondents : Mr.P.Sathish
Additional Government Pleader – 1 to 6

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to quash the impugned Order Order made by the fourth respondent in 2024/0105/09/270079 dated 29.03.2024 and to direct the fourth respondent to survey his land and to issue a separate patta in Survey No.132/7 to the petitioner as per the sale deed No.891/2004 dated 17.05.2004.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 6 and perused the



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materials available on record.

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4. The case of the writ petitioner is that originally the petitioner gave a representation to the fourth respondent to survey his land and issuance of patta. As the fourth respondent has not considered the representation of the petitioner, the petitioner filed a Writ Petition in W.P.No.8562 of 2023. Subsequent to the Order of this Court, the fourth respondent has rejected the representation of the petitioner without assigning any reasons. Challenging the same, the present Writ Petition has been filed.

5. The learned Additional Government Pleader, appearing for the respondents 1 to 6 fairly submitted that the impugned Order has been passed without assigning any reasons and hence, it cannot be sustained in the eye of law.

6. On a perusal of the impugned, this Court is of the view that the impugned Order is bereft of any reasons. Without any reasons, the rejection cannot be sustained in the eye of law. In such view of the matter, the impugned Order has to be quashed.



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WEB COPY 7. Accordingly, this Writ Petition is allowed and the impugned Order dated 29.03.2024 passed by the fourth respondent stands quashed. The fourth respondent is directed to conduct enquiry afresh and pass a detailed Order, after hearing the petitioner and perusing the documents, within a period of two months from the date of receipt of a copy of this Order. No costs. Consequently, connected miscellaneous petition is closed.

06.06.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

1. The District Collector,
O/o.District Collectorate, Namakkal District.
2. The District Revenue Officer,
Namakkal District.
3. The Revenue Divisional officer,
Namakkal Division, Namakkal District.

4. The Tahsildar,

<https://www.mhc.tn.gov.in/judis>



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Sendamangalam Taluk, Namakkal District.

5. The Head Surveyor,
Tahsildar Office, Sendamangalam Taluk, Namakkal District.
6. The Revenue Inspector,
O/o.Revenue Inspector, Sendamangalam Taluk, Namakkal District.



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N. SATHISH KUMAR, J.

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