



W.P.No.37019 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :10.12.2024

CORAM:

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.37019 of 2024

and

W.M.P.No.39989 of 2024

Saravanan V.

... Petitioner

Vs

1. The District Collector,
Salem District.

2.The Revenue Divisional Officer,
Salem District.

3.The Tahsildar,
Salem West Taluk,
Salem District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Certiorarified Mandamus, to call for the records of the file of the 3rd respondent in proceedings Application No.2024/0105/08/501056 dated 28.06.2024 and quash the same as



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illegal, incompetent and without jurisdiction and further direct the 3rd respondent to sub-division and to transfer the patta in the name of the petitioner as per registered Sale Deed in document number 3644/2021 dated 27.09.2021.

For Petitioner : Mr.A.Arun Kumar

For Respondents : Mr.M.R.Gokul Krishnan
Additional Government Pleader

ORDER

This Writ Petition is filed for a Certiorarified Mandamus, to call for the records of the file of the 3rd respondent in proceedings Application No.2024/0105/08/501056 dated 28.06.2024 and quash the same as illegal, incompetent and without jurisdiction and further direct the 3rd respondent to sub-division and to transfer the patta in the name of the petitioner as per registered Sale Deed in document number 3644/2021 dated 27.09.2021.

2.Challenging the non-speaking one line order, the petitioner is before this Court.



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3. The facts are as follows:

The petitioner had purchased the subject property under a registered sale deed dated 27.09.2021. The possession was also handed over to the petitioner. The petitioner's name was also included in the joint patta No.572 and the petitioner had been in enjoyment without any disturbance.

4. Heard the learned counsels on either side.

5. The impugned order came to be passed on 28.06.2024 stating "AREA DIFFERENT". On the face of the order, the same cannot be sustained as it is a non-speaking order. Therefore, this writ petition is allowed and the impugned order dated 28.06.2024 is set aside and the matter is remitted back to the 3rd respondent for fresh consideration, after issuing notice to the petitioner and affording him a personal hearing, and pass orders, within a period of three months from the date



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of receipt of a copy of this order. There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

10.12.2024

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

ssn

To

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P.T.ASHA, J.,

ssn

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