



WEB COPY



W.P.No.1141 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 1141 of 2025

&

W.M.P.No. 1381 of 2025

S.Selvi

...Petitioner

Vs.

1.The Tahsildar
Punjaiedaiyarmelmugam,
Paramathivelur Taluk,
Namakkal District

2.The Inspector (Land Survey)
Divisional Inspector Office,
Paramathivelur Taluk,
Namakkal District

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent relating to the impugned order dated 10.06.2024 and to quash the same



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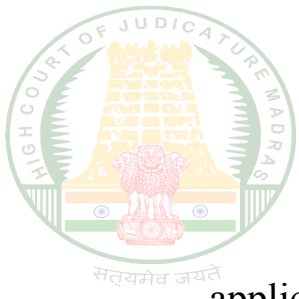
and consequently direct the 1st respondent to issue patta for the petitioner's property situated in survey no.46/2a1 measuring about 3540 sq.ft (0.0313.0 sq. Meter) Punjaiedaiyar Melmugam, Paramathivelur, Namakkal District.

For Petitioner : Mr. B.Thirumalai
For Respondents : Mr. A.Selvendran
Special Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“To call for the records of the 1st respondent relating to the impugned order dated 10.06.2024 and to quash the same and consequently direct the 1st respondent to issue patta for the petitioner's property situated in survey no.46/2a1 measuring about 3540 sq.ft (0.0313.0 sq. Meter) Punjaiedaiyar Melmugam, Paramathivelur, Namakkal District.”



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2. The petitioner's contention is that she had submitted an application for subdivision and patta transfer in respect of the subject property, on 08.02.2024. On 27.02.2024, since no action was taken on her earlier application she sent a representation once again. This was followed by W.P.No.6883 of 2024. After hearing the submissions, this Court had directed the respondents to consider the petitioner's representation and pass orders after giving due opportunity of hearing to the petitioner as well as rival claimants.

3. Thereafter, the impugned order came to be passed by the Tahsildar, 1st respondent on 10.06.2024. The petitioner is aggrieved by the fact that they have not been heard before the impugned order is passed despite the directions of this Court in WP.No.6883 of 2024.

4. Heard the learned counsels and perused the records.

5. A mere perusal of the impugned order would clearly show that



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no notice has been issued to the petitioner or the other parties and orders have been suo motu passed by the 1st respondent.

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6. Considering the fact that such an order is totally in violation of the orders in W.P.No.6883 of 2024 and is also passed without following due process of law, the Writ Petition is allowed. Consequently, the connected miscellaneous petition is closed. No costs.

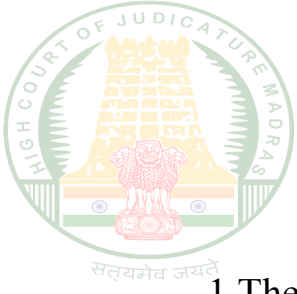
22.01.2025

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P.T. ASHA, J,

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