



W.P.No.21527 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.21527 of 2025

N.Muthusamy

: Petitioner

Vs.

- 1.The State of Tamil Nadu
Represented by the Secretary to Government,
Revenue Department,
Fort St.George,
Chennai-9.
- 2.The District Collector,
Kallakurichi,
Kallakurichi District.
- 3.The Revenue Division Officer,
Kallakurichi,
Kallakurichi District.
- 4.The Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.
- 5.Mr.Devaraj
Deputy Superintendent of Police,
Kallakurichi,
Kallakurichi District.



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6.Ms.Malarvizhi,
Inspector of Police,
Thyagadurgam,
Kallakurichi Taluk.

7.Mr.Gnanasekaran,
Sub Inspector of Police,
Thyagadurgam,
Kallakurichi Taluk,
Kallakurichi District.

8.Jagadeeswari

9.Vinothini

10.K.Arivazhagan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus directing the fourth respondent herein to survey (1) 1.20 acres of agricultural land, having patta No.424, comprised in dry survey No.80/15 and (2) 23 cents of agricultural land, having same patta No.424 comprised in dry survey No.80/17, situate in Periamampattu Village, Kallakurichi Taluk, Kallakurichi District and in total 1.43 acres of land and to carry out name transfer of the land from the name of petitioner's father into petitioner name and issue patta to the petitioner within a time limit to be fixed by this Court as per petitioner's representation dated 17.11.2024 and pass orders.

For Petitioner : Mr.N.Muthusamy (party in person)

For Respondents : Mr.A.Selvendran
Special Government Pleader
R1 to R4

Mr.R.Kishore Kumar
Government Advocate (Crl. Side)
for R5 to R7



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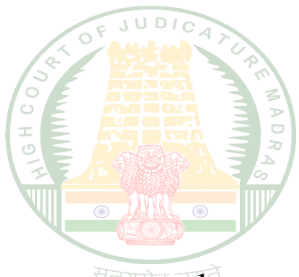
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ORDER

In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to respondents 8 to 10 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus to direct the fourth respondent to survey agricultural lands comprised in dry survey Nos.80/15 and 80/17, measuring a total extent of 1.43 acres situated at Periamampattu Village, Kallakurichi Taluk, Kallakurichi District and to carry out transfer of patta from the name of petitioner's father to petitioner name and issue patta to the petitioner within a time limit to be fixed by this Court as per petitioner's representation dated 17.11.2024.

2. At the outset, it is submitted by Mr.A.Selvendran, learned Special Government Pleader for respondents 1 to 4 that the subject land is a Government land and therefore petitioner may not be a 'registered holder' within the meaning of Section 2 (6) of the Tamil Nadu Survey and Boundaries Act, 1923. In any view, he would submit that the petitioner's representation dated 17.11.2024 seeking survey and transfer of patta in respect of the subject property would be considered



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and appropriate orders would be passed after affording a reasonable opportunity of hearing to the petitioner, within a time frame to be fixed by this Court, which was agreed to by the learned counsel for petitioner.

3. It is further submitted by the learned Special Government Pleader that in case police protection is required they would request the respondents 5 to 7. When this was pointed out, the learned Government Advocate, Mr.R.Kishore Kumar appearing for respondents 5 to 7 would submit that if any such request is made adequate police protection will be granted.

4. In view of the limited relief that is prayed, this court is inclined to dispose of the writ petition with following directions:

i) As regards survey, the fourth respondent shall consider the representation dated 17.11.2024 in accordance with law, after issuing notice and affording a reasonable opportunity of hearing to the petitioner, respondents 8 to 10, adjacent land owners and all other interested parties including rival claimants, if any.

ii) Though facts have been set out extensively in the affidavit, this court does not propose to deal with it while leaving it open to the fourth respondent to call for any document/conduct enquiry to satisfy itself of the petitioner's



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entitlement for requesting survey of subject property.

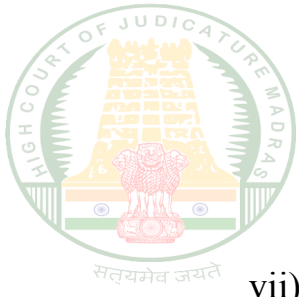
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iii) If any such request to grant police protection is made by the fourth respondent, the respondents 5 to 7 is directed to provide adequate police protection for conducting the survey.

iv) As regards transfer of patta, the fourth respondent shall consider the representation dated 17.11.2024 seeking transfer of patta in the name of the petitioner in accordance with law, after issuing notice, conducting enquiry and affording a reasonable opportunity of hearing to the petitioner, respondents 8 to 10 and all other interested parties including rival claimants, if any.

v) Though facts have been set out in affidavit, in view of the limited relief that is sought to be granted, I do not propose to examine the same, lest it may influence the authority. The authority shall independently consider the facts and law set out in the representation and pass appropriate order in accordance with law including but not limited to the provisions of the Tamil Nadu Patta Pass Book Act and Rules.

vi) The entire process shall be completed within a period of eight (8) weeks from the date of uploading of web copy without waiting for the receipt of certified copy.



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vii) It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. Rights and contentions of the petitioner and all other interested parties are left open.

5. Accordingly, the writ petition stands disposed of. There will be no order as to costs.

06.08.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn

To
1.The Secretary to Government,
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Chennai-9.

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MOHAMMED SHAFFIQ, J.

(mrn)

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