



Writ Petition No.6655 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.6655 of 2025

and

W.M.P.No.7287 of 2025

T.Sankar

S/o.Theerthagiri

... Petitioner

Vs.

1.The District Collector,
Krishnagiri District.

2.The Revenue Divisional Officer,
Krishnagiri District.

3.The Tahsildar,
Uthangarai Taluk,
Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records on the file of the third respondent in proceedings Application No.2025/0103/31/371301 dated 23.01.2025 and quash the same as illegal, incompetent and without jurisdiction and further, direct the third respondent to transfer the patta in the name of the petitioner as per the registered Sale Deed in document number 8589/2024 dated 20.12.2024.

For Petitioner : Mr.A.Arun Kumar

For Respondents : Mr.P.Satish

Additional Government Pleader



Writ Petition No.6655 of 2025

ORDER

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This writ petition has been filed challenging the impugned proceedings of the third respondent dated 23.01.2025 and for a consequential direction to the third respondent to transfer the patta in the name of the petitioner as per the title document *viz.*, sale deed dated 20.12.2024.

2. Heard Mr.A.Arun Kumar, learned counsel for the petitioner and Mr.P.Satish, learned Additional Government Pleader appearing for respondents.

3. The application submitted by the petitioner seeking for patta has been rejected by a non-speaking order by merely mentioning that the application is rejected. When the matter came up for hearing, learned Additional Government Pleader, based on written instructions, submitted that there is a pending suit in O.S.No.1 of 2025 before the District Munsif, Uthangarai and considering the same, the third respondent was not inclined to transfer the patta.



Writ Petition No.6655 of 2025

4. Learned counsel for the petitioner submitted that the petitioner is not even a party in the said suit and the petitioner was not put on notice regarding the pending suit.

5. In the considered view of this Court, if the third respondent was not inclined to grant patta in favour of the petitioner, he should have called the petitioner for an enquiry and got the necessary clarifications. Thereafter, an order should have been passed by assigning reasons. The application cannot be rejected by a single word order stating that it is rejected. The same suffers from violation of principles of natural justice.

6. In the light of the above discussion, the impugned proceedings of the third respondent dated 23.01.2025 is hereby quashed. There shall be a direction to the third respondent to call the petitioner for enquiry, get the necessary clarification and pass orders on its own merits and in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.



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Writ Petition No.6655 of 2025

N.ANAND VENKATESH, J

gm

This writ petition is allowed with the above direction. No costs.

Consequently, connected miscellaneous petition is closed.

28.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

gm

To

1.The District Collector,
Krishnagiri District.

2.The Revenue Divisional Officer,
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3.The Tahsildar,
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Writ Petition No.6655 of 2025