



W.P.No.16506 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No. 16506 of 2025
and WMP.Nos.18645 & 18650 of 2025

K.Tamizharasan

...Petitioner

Vs.

1. The District Collector,
Dharmapuri District
Dharmapuri.
2. The Tahsildar
Dharmapuri District,
Dharmapuri.
3. The Village Administration Officer,
Dharmapuri District,
Dharmapuri.
4. The Muthawali
Khairathi Personal Inam Waqf
K.Naduhalli village,
Dharmapuri district.
5. The Revenue Divisional Officer,
Dharmapuri district,
Dharmapuri.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,



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praying to issue Writ of Certiorarified Mandamus to quash the impugned proceedings of the 2nd respondent vide No.2024/0103/05/283443 dated 07.01.2025 and consequently direct the 1st and 2nd respondents to mutate the patta in favour of the petitioner.

For Petitioner : Mr.P.Vidhya Shree

For Respondents : Mr.Mohammed Sathik
Government Advocate
for R1 to R3 & R5

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to respondent No.4 is dispense with.

2. The present writ petition is filed challenging the impugned proceedings of the second respondent vide No.2024/0103/05/283443 dated 07.01.2025 whereby the petitioner's request for transfer of patta in favour of petitioner was rejected by merely stating that the property/patta remains in the name of Wakq.

3. It is submitted by the learned counsel for the petitioner that the petitioner



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has submitted a representation on 23.10.2024 before the second respondent seeking mutation of patta in favour of the petitioner in respect of the property in Survey Nos.153/1, 153/2, 154/1 and 154/2 in K.Naduhalli Village, Dharmapuri District. However, the second respondent without even considering petitioner's title deeds and possession in the subject property, rejected the petitioner's representation vide proceedings dated 07.01.2025, stating that the subject property in Survey Nos.153/1, 153/2, 154/1 and 154/2 in K.Naduhalli Village, Dharmapuri District belong to the Wakf Board and the application for mutation of the patta for the aforesaid property was rejected. Aggrieved by the same, the petitioner has come before this Court.

4. It is submitted by the learned counsel for the petitioner that the impugned proceedings is non-speaking as no reason has been set out. Thus, it is liable to be set aside.

5. At the outset, it was submitted by the learned Government Advocate for respondent No.1 to 3 and 5 that the official respondents would re-consider the



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petitioner's representation and pass a speaking order, after hearing the petitioner, the concerned wakf, and any other interested parties/rival claimants, in accordance with law, within the time frame to be fixed by this Court, which was agreed to by the learned counsel for petitioner.

6. In view of the same, taking into consideration the facts and circumstances of the case, there shall be a direction to the official respondents, to re-consider the petitioner's representation dated 23.10.2024 on its own merits and pass a speaking order, after affording reasonable opportunity of hearing to the petitioner, the concerned wakf and any other interested parties/rival claimants, in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

7. Accordingly, the writ petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.



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

To

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Dharmapuri.
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MOHAMMED SHAFFIQ, J.

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