



W.P.No.24035 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.07.2025

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Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

**W.P.No.24035 of 2025
and W.M.P.No.27040 of 2025**

1.Selvi
2.Kaanthammal

...Petitioners

Versus

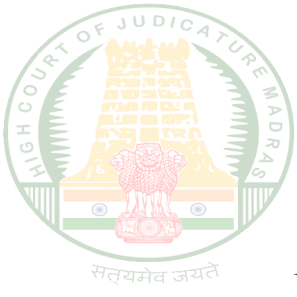
The Zonal Deputy Tahsildar,
Omalur (10) Taluk,
Salem (08) District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus to call for the records of the impugned order bearing No.2025/0103/08/525732 dated 21.02.2025 passed by the Respondent and quash the same as erroneous and consequently, issue Patta in the 1st and 2nd Petitioners name or to issue Joint Patta along with their father's Patta situated in Salem District, Omalur Taluk, Maanathal Village, bearing Survey No.10/6E to an extent of 38 ¼ cents.

For Petitioners : Mr.C.N.Prarthana

For Respondent : Mr.A.Selvendran,
Special Government Pleader



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ORDER

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By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought in this writ petition is to quash the Order dated 21.02.2025 bearing No.2025/0103/08/525732 passed by the respondent and consequently, to direct the respondent to issue Patta in the name of Petitioners 1 & 2 or to issue Joint Patta along with the Patta standing in the name of petitioners' father, in respect of the land comprised in Survey No.10/6E measuring an extent of 38¼ cents situated at Maanathal Village, Omalur Taluk, Salem District.

3. The learned counsel for the petitioners submitted that the land comprised in Survey No.10/6E measuring an extent of 38¼ cents situated at Maanathal Village, Omalur Taluk, Salem District belonged to the petitioners' mother Late Mrs.Alamelu, however, the Patta for the aforesaid land stands in the name of petitioners' father and hence, the petitioners made an Online Application dated 27.01.2025 bearing No.2025/0103/08/525732 seeking to transfer the Patta of aforesaid land



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either in the names of petitioners or to issue a Joint Patta by including the name of petitioners along with the name of petitioners' father. It is further submitted that the respondent vide impugned Order dated 21.02.2025, rejected the petitioners' Online Application by stating a reason that “Parent/Linked Documents are not submitted”. It is submitted that the impugned order passed by the respondent is a non-speaking order and hence, the same is liable to be quashed.

4. The learned Special Government Pleader appearing for the respondent submitted that the respondent would re-consider the matter and would pass a speaking order afresh, within a time frame to be fixed by this Court.

5. In view of the limited relief that is prayed, this Court is inclined to dispose of this Writ Petition with the following directions:

(i) The respondent authority shall consider the petitioners' Online Application dated 27.01.2025, after issuing notice and affording a reasonable opportunity of hearing to the petitioners and all other interested parties including rival claimants, if any and pass a speaking order.



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(ii) 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 respondent authority shall independently consider the facts and law set out in the petitioners' Online Application and pass a speaking order, in accordance with law including but not limited to the provisions of the Tamil Nadu Patta Pass Book Act and Rules.

(iii) The petitioners' Online Application dated 27.01.2025 shall be disposed of within a period of sixteen weeks from the date of uploading of web copy of this order without waiting for the receipt of certified copy of this order.

(iv) 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 respondent to consider the matter on its own merits and in accordance with law. Rights and contentions of the petitioners and all other interested parties are left open. No costs. Consequently, connected Miscellaneous Petition is closed.

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mrr

Index : Yes/No

Speaking Order (or) Non-Speaking Order



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MOHAMMED SHAFFIQ, J.

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