



W.P. No.23499 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.23499 of 2025

and

W.M.P. Nos.26384 and 26385 of 2025

1. A.Arumugam

2.S. Arumugam

Petitioner(s)

Vs

1.The District Collector,
Chennai District, Chennai.

2.The District Revenue Officer,
Chennai District, Chennai.

3.The Revenue Divisional Officer,
Central Chenani Division,
Chennai District, Chennai.

4.The Tahsildar,
Maduravoyal Taluk, Chennai District.

5.V.Prabhakran

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order made in Na.Ka.No.J12/ 29704/2019 dated 14.03.2024 passed by the 2nd respondent, quash the same and consequently



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direct the 4th respondent herein to grant patta in the names of the petitioners for the subject property measuring an extent of 14 cents comprised in SF. No 103/2, Nollambur village, Chennai.

For Petitioner(s) : Mr.I.Inian

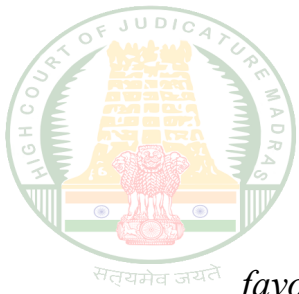
For Respondent(s) : Mr.P.Sathish
1 to 4 Additional Government Pleader

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 the 5th Respondent is dispensed with.

2. The present writ petition is filed praying for a writ of Certiorarified Mandamus challenging the impugned order made in Na.Ka.No.J12/ 29704/2019 dated 14.03.2024 on the premise that the petitioners' patta land has been wrongly classified as Mandaiveli Poramboke land.

3. It is submitted by the learned counsel for petitioners that this is the second round of litigation. Earlier petitioners filed a writ petition in W.P.No.29763 of 2022 before this Court, which was disposed of on 23.03.2023, The relevant portions of the order is extracted hereunder:

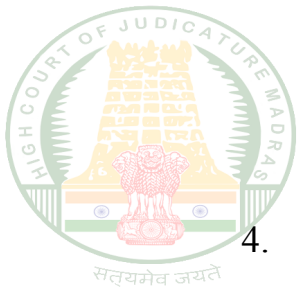


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“8. This apart, when the Tahsildar had earlier made two favourable recommendations dated 25.02.2019 and 09.12.2019, there was a duty cast upon the District Revenue Officer to address such recommendations and assign reasons for deviating from such recommendations. This procedure is also conspicuously absent in the impugned order. Thus, the impugned order is both a non-speaking order, as well as in violation of the principles of natural justice and hence, illegal.

9. In the light of the above findings, the impugned order dated 01.08.2022 passed by the 2nd respondent herein is quashed and the matter is remitted back to the second respondent for fresh consideration. The second respondent shall issue prior notices to the petitioners and any other person, who may be interested in the subject property, for the purpose of conducting an enquiry in connection with the petitioners- representation dated 18.02.2019, seeking for issuance of patta in connection with the subject property comprised in Survey No.103/2 for extent of 0.14 cents situated at Nolambur Village, SRO Sembium, Chennai District and after extending such opportunity, shall pass appropriate orders, by addressing all the objections raised by the petitioners, as well as the earlier recommendations of the Tahsildar dated 25.02.2019 and 09.12.2019. Such orders shall be passed within a period of two months from the date of receipt of a copy of this order.”

3.1. It is the case of the petitioners that despite specific directions of this Court to take into account the recommendations of the Tahsildar dated 25.02.2019 and 09.12.2019, the impugned order came to be passed without even making reference to the same and thus is in gross disregard to the orders of this Court in the earlier round of litigation.



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4. On this being pointed out, Mr.P.Sathish, learned Additional Government Pleader for respondents would submit that they would reconsider the matter taking into account the recommendations of the Tahsildar, within a time frame to be fixed by this Court. Agreed to by the learned counsel for petitioners.

5. In view thereof, the writ petition stands disposed of with a direction to the appropriate respondent to reconsider the matter taking into account the recommendations of the Tahsildar and pass orders afresh, after affording reasonable opportunity of hearing to the petitioners, 5th respondent, other interested persons/stake holders, including rival claimants, if any, within a period of 6 weeks from the date of uploading of web copy without waiting for receipt of certified copy. It is made clear that this Court has not expressed any views with regard to the merits of the matter and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

30.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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MOHAMMED SHAFFIQ, J.

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