



W.P.No.27721 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.08.2025

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Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

**W.P.No.27721 of 2025
and W.M.P.No.31064 of 2025**

Manimegalai

...Petitioner

Versus

1.The Tahsildar,
Nambiyur Taluk Office,
Nambiyur, Erode District.

2.The Zonal Deputy Tahsildar,
Nambiyur Taluk Office,
Nambiyur, Erode District.

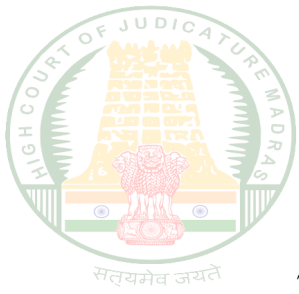
...Respondents

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 pertaining to the impugned order passed by the 2nd respondent vide his proceedings No.2025/0103/10/531301 dated 03.06.2025 and quash the same as illegal consequently, direct the respondents to survey, sub-divide and issue separate Patta in my favour in respect of Old Survey No.770/8 and New S.F.No.770/8A1A1 for an extent of 0.33.61 Hectares (83 cents) situated at Koshanam "A" Village, Nambiyur Taluk, Erode District.

For Petitioner	:	Mr.V.Illanchezian
For Respondents	:	Mr.A.Selvendran, Special 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.



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2. The relief sought in this writ petition is to quash the Order dated 03.06.2025 passed by the 2nd respondent and consequently, direct the respondents to survey, sub-divide and issue separate Patta in petitioner's favour in respect of the property comprised in Old Survey No.770/8 and New S.F.No.770/8A1A1 measuring an extent of 0.33.61 Hectares (83 cents) situated at Koshanam “A” Village, Nambiyur Taluk, Erode District (hereinafter referred to as “subject property”).

3. The learned counsel for the petitioner submitted that petitioner submitted an Online Application No.2025/0103/10/531301 dated 22.05.2025 seeking for issuance of separate Patta in her favour in respect of the subject property. He further submitted that 2nd respondent vide impugned order dated 03.06.2025, rejected petitioner's Online Application without assigning any valid reason. Therefore, the learned counsel submitted that the impugned order passed by the 2nd respondent is in violation of the principles of natural justice and hence, the same is liable to be quashed.



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4. The learned Special Government Pleader appearing for the respondents submitted that the respondents would consider the petitioner's request for issuance of separate Patta in her favour in respect of the subject property and pass a speaking order, within a time frame to be fixed by this Court.

5. The above submission made by the learned Special Government Pleader for the respondents has been fairly conceded by the learned counsel for petitioner.

6. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court is inclined to dispose of this Writ Petition with the following directions:

(i) The impugned order dated 03.06.2025 passed by the 2nd respondent is quashed.

(ii) The respondents are directed to consider the petitioner's request for issuance of separate Patta in her favour in respect of the subject property and pass a fresh speaking order, after issuing notice and affording a



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reasonable opportunity of hearing to the petitioner and all other interested parties including rival claimants, if any, 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.

(iii) 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.

(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 concerned respondent to consider the matter on its own merits and in accordance with law including but not limited to the provisions of the Tamil Nadu Patta Pass Book Act, 1983 and Tamil Nadu Patta Pass Book Rules, 1987.

(v) Rights and contentions of the petitioner and all other interested parties are left open. No costs. Consequently, connected Miscellaneous Petition is closed.

01.08.2025

mrr

Index : Yes/No

Speaking Order (or) Non-Speaking Order



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Nambiyur Taluk Office,
Nambiyur,
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- 2.The Zonal Deputy Tahsildar,
Nambiyur Taluk Office,
Nambiyur,
Erode District.



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MOHAMMED SHAFFIQ, J.

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