



W.P.No.29601 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.29601 of 2025

and

WMP Nos.33195 and 33199 of 2025

- 1.N.Saroja
- 2.Gnanavel
- 3.Vasantharajan
- 4.Padmavathi
- 5.K.Selvi

: Petitioners

Vs.

- 1.The District Collector,
The Collector Office,
Salem.
- 2.The District Revenue Officer,
The District Revenue Office,
Collectorate Building,
Salem.
- 3.The Executive Magistrate Cum Revenue Divisional Officer,
The Revenue Divisional Office,
Suramangalam,
Salem.



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4.The Tahsildar,
Taluk Office,
Vazhapady,
Salem District.

5.P.Suresh
6.Ramesh
7.Malliga
8.Deepa
9.N.Sridhar
10.Murugan

: Respondents

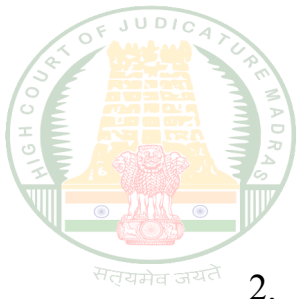
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorari to call for the records of the third respondent made in proceedings in Mu.Mu.No.781/2025/A5 dated 20/06/2025 and quash the same as illegal.

For Petitioner : Mr.V.Raghavachari
Senior Advocate
for Mr.N.Umapathi

For Respondents : Mr.P.Sathish
for R1 to R4

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 Nos.5 to 10 is dispensed with.

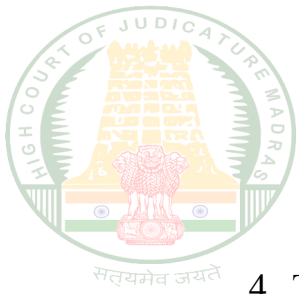


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2. The present writ petition is filed praying for a writ of certiorari challenging the proceedings dated 20.06.2025 whereby patta has been restored, in respect of property comprised in S.Nos.51/6, 51/10, 51/11, 60/1A, 60/2, 74/1A, 179/6, 179/9A, 179/9C, 179/14, 186/1A, etc. and S.Nos.10/3B, 34/1 etc. measuring a total extent of 50 acres situated at Sarkar Vazhapady Village, Salem and Agarahara Vazhapady Village in the name of petitioners' vendor.

3. It is submitted by learned counsel for the petitioners that petitioners, who are the lawful owners of subject property were not even put on notice before passing impugned proceedings. He would submit that initially there was title dispute over the subject property and this Court in A.S.No.180 of 2022 dated 04.07.2025 had held that petitioners' vendor is lawful owner of the subject property. He would thus submit that as petitioners purchased the subject property from the lawful owners, patta ought to have been issued in petitioners' name instead impugned order has been passed restoring patta in the name of petitioners' vendor, without even putting petitioners on notice.



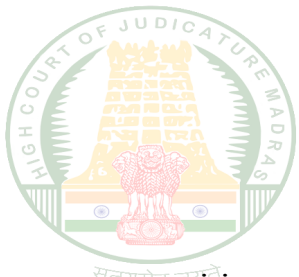
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4. To a pointed question to learned Additional Government Pleader as to whether notice was issued to petitioners, he would submit that no notice has been issued. He would submit that they would redo the entire exercise after issuing notice to petitioners, respondents 5 to 10 and any other interested parties including rival claimants, if any and pass orders afresh. The petitioners may place reliance upon any documents/judicial orders and the same would be taken into account while passing orders afresh, which was agreed to by the learned counsel for petitioners.

5. In view thereof, this court is inclined to dispose of the writ petition with following directions:

- i) The impugned order dated 20.06.2025 is set aside.
- ii) It is open to petitioners to place reliance upon any documents/judicial orders before third respondent.
- iii) The third respondent shall consider the matter and pass orders afresh, after issuing notice and affording a reasonable opportunity of hearing to petitioners, respondents 5 to 10 and all other interested parties including rival claimants, if any, by taking into account any documents/judicial orders placed by



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petitioners.

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iv) 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 authority shall independently consider the facts and law set out in the case and pass appropriate order in accordance with law including but not limited to the provisions of the Tamil Nadu Patta Pass Book Act and Rules.

v) 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. Rights and contentions of the petitioner and all other interested parties are left open.

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

07.08.2025

Speaking (or) Non Speaking Order

Neutral Citation: Yes/No

mrn



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To

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MOHAMMED SHAFFIQ, J.

(mrn)

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