



W.P.No.29320 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.08.2025

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Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.29320 of 2025

R.Baskar

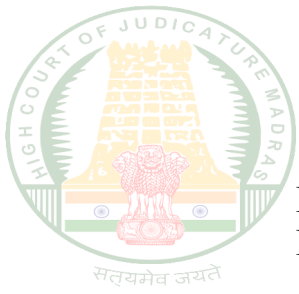
...Petitioner

Versus

- 1.The District Collector,
Namakkal.
- 2.The District Revenue Officer,
Namakkal.
- 3.The Revenue Divisional Officer,
Namakkal.
- 4.The Special Tahsildar (Temples),
Namakkal.
- 5.The Tahsildar,
Rasipuram, Namakkal.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 3rd respondent to pass orders on the petitioner's Representation dated 25.03.2024 and mutate the revenue records with respect to Survey No.28/5, Annaipalayam Village, Rasipuram Taluk, Namakkal District measuring about 2.12 Acres in favour of the petitioner.



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W.P.No.29320 of 20__

For Petitioner : Mr.Dhalapathy Vignesh Kumar
For Respondents : Mr.S.Rajesh,
Government Advocate

ORDER

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 direct 3rd respondent to pass orders on the petitioner's Representation dated 25.03.2024 and mutate Revenue Records in respect of the property comprised in Survey No.28/5 measuring an extent of 2.12 Acres situated at Annaipalayam Village, Rasipuram Taluk, Namakkal District (hereinafter referred to as “subject property”) in favour of the petitioner.

3. The learned counsel for the petitioner submitted that petitioner is the absolute owner of the subject property. The petitioner's vendor had constructed a temple viz., Chelliyamman Temple measuring an extent of 0.04 Cents in S.No.28/5. While so, it was found by the petitioner that without issuing any notice to the petitioner, the Revenue Officials had mutated the property in Survey No.28/5 measuring an extent of 2.16 Acres in the name of Chelliyamman Temple and it came to the knowledge of the



petitioner that there was a ban to sell the entire extent of 2.16 Acres.

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3.1. It is further submitted by the learned counsel for the petitioner that petitioner submitted a Representation dated 25.03.2024 before 4th respondent, requesting to mutate the Revenue Records in respect of the subject property in favour of the petitioner. The 2nd respondent vide Letter dated 02.05.2024, forwarded the petitioner's Representation to 3rd respondent and directed the 3rd respondent to conduct an enquiry on the petitioner's Representation and to conduct survey in the subject property. However, till date, 3rd respondent has neither conducted an enquiry on the petitioner's Representation dated 25.03.2024 nor conducted survey in the subject property.

4. At the outset, the learned Government Advocate appearing for the respondents submitted that 3rd respondent would consider the petitioner's Representation dated 25.03.2024 and dispose of the same, within a time frame to be fixed by this Court.

5. The above submission made by the learned Government Advocate



appearing for the respondents has been fairly conceded by the learned counsel for the petitioner.

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6. In view of the limited relief sought by the petitioner, this Court is inclined to dispose of this Writ Petition with the following directions:

(i) The 3rd respondent shall consider the petitioner's Representation dated 25.03.2024, after issuing notice and affording a reasonable opportunity of hearing to the petitioner, present Pattadhar and all other interested parties including rival claimants, if any.

(ii) The 3rd respondent shall independently consider the facts and law set out in the petitioner's Representation and pass appropriate orders, 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.

(iii) The 3rd respondent shall dispose of the petitioner's Representation, within a period of twelve weeks from the date of uploading of web copy of this order without waiting for the receipt of certified copy of this order.



W.P.No.29320 of 20__

(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 3rd 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. No costs.

05.08.2025

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Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

- 1.The District Collector,
Namakkal.
- 2.The District Revenue Officer,
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- 4.The Special Tahsildar (Temples),
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W.P.No.29320 of 20_

MOHAMMED SHAFFIQ, J.

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W.P.No.29320 of 2025

05.08.2025