



WP No.31007 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.31007 of 2025

V.Kannan

: Petitioner

Vs.

1.The District Collector,
Namakkal District, Namakkal

2.The Revenue Divisional Officer,
Namakkal District, Namakkal

3.The Tahsildar,
Mohanur Taluk, Mohanur,
Namakkal District 637 015

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus directing the third respondent to issue patta in the petitioner favour for lands measuring 1.30 acres situated in S.No.40/2, Laddivadi Village, Namakkal Taluk, Namakkal District.



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For Petitioner : Mr.I.Abrar Md Abdullah

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.

2. The present writ petition is filed praying for a writ of mandamus to direct third respondent to issue patta in the name of petitioner with respect to lands comprised in S.No.40/2, measuring an extent of 1.30 acres situated at Laddivadi Village, Namakkal Taluk, Namakkal District.

3. At the outset, it is submitted by Mr.A.Selvendran, learned Special Government Pleader for respondents 1 to 3 that as per the proceedings dated 14.11.1983 of the Revenue Divisional Officer, subject land has been classified as "Kuttai Poromboke". That being the case, petitioner may not



be eligible for issuance of patta.

4. Learned counsel for petitioner would submit that only a portion of subject land comprised in the above survey number would constitute Kuttai poromboke and the same was also found by petitioner.

5. This Court is not inclined to go into the above question.

6. In view of the limited relief that is prayed, this court is inclined to dispose of the writ petition with following directions:

i) The third respondent shall consider representation dated 23.05.2025 seeking issuance of patta in respect of subject property after issuing notice, conducting enquiry and affording a reasonable opportunity of hearing to petitioner and all other interested parties including rival claimants, if any and pass orders.

ii) It is made clear that if the subject property is water body, petitioner shall not be issued with patta as it is impermissible.



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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. The authority shall independently consider the facts and law set out in the representation 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.

iv) The petitioners' representation dated 23.05.2025 shall be disposed of within a period of sixteen (16) weeks from the date of uploading of web copy without waiting for the receipt of certified copy.

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 petitioners and all other interested parties are left open.

7. Accordingly, the writ petition stands disposed of. There will be no order as to costs.



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Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn

To

- 1.The District Collector,
Namakkal District, Namakkal
- 2.The Revenue Divisional Officer,
Namakkal District, Namakkal
- 3.The Tahsildar,
Mohanur Taluk, Mohanur,
Namakkal District 637 015

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MOHAMMED SHAFFIQ, J.

(mrn)

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