



WP No.31431 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 20.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

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M. Kamalammal

... Petitioner

Vs

1. The District Collector
Kallakurichi & District.

2. The Special Tahsildar,
Kallakurichi & District.

3. Kannan

4. Sathiyaraj

5. Sarathkumar

6. Sathishkumar

7. The Revenue Divisional Officer,
Kallakurichi.

... Respondents

R7 suo motu impleaded by this Court vide order dated 20.08.2025.



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus to direct the 2nd respondent to cancel patta stands in the name of the 3 to 6 respondents in respect of the property in Survey No.43/1A, situated at Valaiyampattu Village, Sankarapuram Taluk, Kallakurichi district based on the petitioner's representation dated 04.01.2024.

For the Petitioner : Mr.G.Balamanikandan
For the Respondents : Mr.P.Sathish
Additional Government Pleader
for R1, R2 & R7

ORDER

This Court suo motu impleads the Revenue Divisional Officer, Kallakurichi as respondent No.7 in this writ petition.

2. Registry is directed to carry out necessary amendment in the cause title.



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3. 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.3 to 6 is dispensed with.

4. The present writ petition is filed praying for a writ of mandamus to direct second respondent to cancel patta No.140 standing in the name of respondents 3 to 6 in respect of the property comprised in Survey No.43/1A, situated at Valaiyampattu Village, Sankarapuram Taluk, Kallakurichi district based on petitioner's representation dated 04.01.2024.

5. At the outset, it is submitted by learned Additional Government Pleader for respondents 1 and 2 that petitioner's representation seeking cancellation of patta issued in the name of respondents 3 to 6 ought to have been made before the Revenue Divisional Officer, instead the petitioner had made the representation before the Special Tahsildar, who may not have the authority to consider the petitioner's representation seeking cancellation of patta.



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5. At this juncture, it was submitted by the learned counsel for the petitioner that petitioner may be granted liberty to submit a representation before the RDO.

6. It was submitted by the learned Additional Government Pleader that if any such representation is filed by the petitioner, the same would be considered and appropriate orders would be passed within a time frame to be fixed by this Court, which was agreed to by the learned counsel for petitioner.

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

i) It is open to the petitioner to file a representation seeking cancellation of patta issued in the name of respondents 3 to 6 in respect of the subject property before the the Revenue Divisional Office.

ii) If any such representation is filed, the Revenue Divisional Officer, shall consider the same and pass orders in accordance with law after issuing notice, conducting enquiry and affording a reasonable opportunity of



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hearing to the petitioner, respondents 2 to 6 and all other interested parties including rival claimants, if any.

ii) 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) 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 RDO 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.

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

20.08.2025

Index : Yes/No
Neutral Citation : Yes/No
mrn

5/7



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To:

1. The District Collector
Kallakurichi & District.

2. The Special Tahsildar,
Kallakurichi & District.

3. The Revenue Divisional Officer,
Kallakurichi.



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MOHAMMED SHAFFIQ, J.

(mrn)

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