



WEB COPY



W.P.No.711 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 711 of 2025
&
W.M.P.Nos. 864 & 866 of 2025

Boopathi

...Petitioner

Vs.

1.The Zonal Deputy Tahsildar
Udumalpet Taluk,
Tiruppur District

2.M/s.Ponmurugan Dhall Mills
No.159, Trichy Main Road,
Kannampalayam Village,
Sulur Taluk,
Coimbatore District - 641405

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus, to call for the records relates to the impugned order passed by the 1st respondent vide T.R.no.2021/0153/32/003222TR dated 08.10.2021 and quash the same



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as illegal and unconstitutional and consequently direct the 1st respondent to restore the patta vide patta number 30 in the name of the petitioner relates to the land measuring to an extend of 4.5 cents of vacant land comprised in town survey no.101 (old survey no.25/1A1)situated at Udumalpet Town, Tiruppur District.

For Petitioner : Mr. V.Raja

For Respondent 1: Mr. A.Selvendran
Special Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“To call for the records relates to the impugned order passed by the 1st respondent vide T.R.no.2021/0153/32/003222TR dated 08.10.2021 and quash the same as illegal and unconstitutional and consequently direct the 1st respondent to restore the patta vide patta number 30 in the name of the petitioner relates to the land measuring to an extend of 4.5 cents of



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vacant land comprised in town survey no.101 (old survey no.25/1A1)situated at Udumalpet Town, Tiruppur District.”

2. The petitioner purchased the subject property under a sale deed dated 28.07.2014, registered as Doc.No.5436/2014 from one Ganeshan and Gopalakrishnan. The revenue records including patta transferred in the name of the petitioner.

3. The petitioner would submit that he is settled in Kalvarpatti, which is nearly 100 Kms away from his locality. Therefore, he could not visit the subject property periodically. The petitioner came to learn that the subject property has been fenced by third parties. When the petitioner applied for survey and measurement of the subject property, he came to learn that the revenue records have been mutated in the name of the 2nd respondent.



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4. The petitioner would submit that the 1st respondent, transferred the patta in favour of the 2nd respondent without issuing any notice to the petitioner. The petitioner would submit that the 2nd respondent is no way connected to the subject property. Aggrieved thus, the petitioner is before this Court.

5. Heard the learned counsels on the either side and perused the records.

6. Considering the admitted fact that an order has been passed without affording opportunity to the petitioner, the impugned order is quashed, without traversing into the facts and merits of the case. The matter is remitted back to the 1st respondent, for considering afresh after issuing notice to the petitioner, the 2nd respondent and other interested party, if any, afford them a personal hearing and hear objections and pass speaking orders, within a period of 1 month from the date of receipt of a copy of this order.



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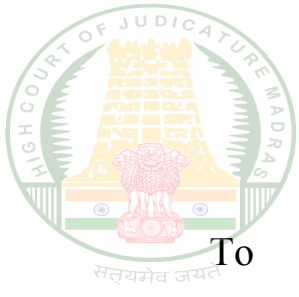
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7. With the above direction, the Writ Petition is allowed.

Consequently, the connected miscellaneous petitions are closed. No costs.

10.01.2025

Index : Yes/No
Internet : Yes/No
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To

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Udumalpet Taluk,
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P.T. ASHA, J,

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