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W.P.No.39049 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.39049 of 2025 and
WMP.Nos.43776 & 43778 of 2025

1.T.Sivalingam
2.S.Karthick
3.C.Gowthami
4.G.Thenmozhi
5.P.Ponmozhi

... Petitioners

Vs.

1.The District Collector,
O/o. The District Collector,
Dharmapuri District
2.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Gandhi Nagar, Dharmapuri District 636 701
3.The Tahsildar,
O/o.the Taluk Office,
Harur Taluk,
Dharmapuri District
4.K.Ganapathy
5.M.Ramasamy
6.K.Ponnammal
7.K.Palanisamy

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the third respondent in



W.P.No.39049 of 2025

Na.Ka.No.3214/2022/B3, dated 20.11.2024 and consequently forbear the respondents from disturbing the petitioner's possession and enjoyment of the same in survey No.14/2, 15/3A, 15/2B, 16/B and 14/1 situated in H.Echampadi Village, Harur Taluk, Dharmapuri District.

For Petitioners : Mr.Dig Vijayapandian

For Respondents

For R1 to 3 : Mr.S.Rajesh,
Government Advocate

ORDER

This writ petition has been filed challenging the order passed by the third respondent dated 20.11.2024 thereby allowing the application for transfer of patta in respect of the lands in survey No.14/2, 15/3A, 15/2B, 16/B and 14/1 situated in H.Echampadi Village, Harur Taluk, Dharmapuri District.

2. The only ground raised by the petitioners is that the petitioners were not given opportunity of hearing at the time of considering the application submitted by respondents 4 to 7 herein. On perusal of the impugned order, it is revealed that on the representation submission by respondents 4 to 7, the third respondent conducted enquiry and pass orders. However, the petitioners were not served any



W.P.No.39049 of 2025

notice, which is a clear violation of principle of natural justice since the petitioners are counter parties and they claim $\frac{1}{4}$ right over the subject properties. Therefore, though there is appeal remedy available against the impugned order, this writ petition is very much maintainable. When there is violation of principles of natural justice, no notice is required to be served to respondents 4 to 7 herein since this Court is remanding the matter back to the third respondent for fresh disposal.

4. In view of the above, the impugned order dated 20.11.2024 of the third respondent is set aside and the matter is remanded back to the third respondent for fresh disposal after conducting due enquiry by giving notice to the petitioner and respondents 4 to 7 herein and after giving opportunity of personal hearing to them, on merits and in accordance with law within a period of twelve weeks from the date of receipt of this order.

5. With the above direction, this writ petition stands allowed.



W.P.No.39049 of 2025

Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
lok

17.10.2025
(2/2)



W.P.No.39049 of 2025

To

- 1.The District Collector,
O/o. The District Collector,
Dharmapuri District
- 2.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Gandhi Nagar, Dharmapuri District 636 701
- 3.The Tahsildar,
O/o.the Taluk Office,
Harur Taluk,
Dharmapuri District
- 4.The Government Advocate,
High Court of Madras

G.K.ILANTHIRAIYAN, J.



WEB COPY



W.P.No.39049 of 2025

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W.P.No.39049 of 2025

17.10.2025

(2/2)



WEB COPY



W.P.No.39049 of 2025

W.P.No.39049 of 2025
and W.M.P.Nos.43776 and 43778 of 2025

G.K.ILANTHIRAIYAN.J

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioners.

2. The learned counsel for the petitioners has brought to the notice of this Court that there is a typographical error, in the 8th line of Paragraph No.2 of the order dated 17.10.2025 in W.P.No.39049 of 2025.

3. Considering the submission made by the learned counsel appearing for the petitioners, this petition is clarified and the 8th line of Paragraph No.2 of the order dated 17.10.2025 in W.P.No.39049 of 2025 shall read as follows:-

“ 2.petitioners are counter parties and they claim 1/5 right over the subject..... ”



W.P.No.39049 of 2025

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4. Registry is directed to correct the order dated 17.10.2025 in
W.P.No.39049 of 2025, as above and issue order copy afresh.

30.10.2025

Index:Yes/No
Internet:Yes/No
mn



WEB COPY



W.P.No.39049 of 2025

G.K.ILANTHIRAIYAN, J.
mn

W.P.No.39049 of 2025

30.10.2025