



WEB COPY



W.P.No.39460 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.39460 of 2025 and
WMP.No.44306 of 2025

K.N.Panju

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Kurinjipadi,
Cuddalore District
2.The Tahsildar,
Kurinjipadi Taluk,
Cuddalore District
3.P.Ganesan

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the impugned order dated 02.09.2025 vide proceeding Pa.Mu.A6/733/2023 passed by the first respondent and quash the same as it being illegal, arbitrary and unconstitutional.



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For Petitioner : Mr.R.Balaramesh

For Respondents

For R1 & 2 : Mr.D.Ravichander,
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the first respondent thereby allowing the application submitted by the third respondent for cancellation of patta in respect of the land comprised in survey No.495/1 to an extent of 0.0256 sq.mtrs. situated at Ellappanpettai Village, Kurinjipadi Taluk, Cuddalore District.

2. Though there is appeal remedy against the order passed by the first respondent before the District Revenue Officer, the writ petition has been filed on the ground that the petitioner was not served with any notice by the first respondent on the application submitted by the third respondent to cancel the patta issued in favour of the petitioner in respect of the subject property and therefore, it is clear violation of principles of natural justice.

3. On perusal of the impugned order, it is revealed that on



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receipt of the application through the third respondent to cancel the patta issued in favour of the petitioner in respect of the land comprised in survey No.495/1 to an extent of 0.0256 sq.mtrs. situated at Ellappanpettai Village, Kurinjipadi Taluk, Cuddalore District, the first respondent conducted enquiry and allowed the application submitted by the third respondent. However, the first respondent failed to issue notice to the petitioner during the enquiry and the petitioner was not heard. Therefore, it is clear violation of principles of natural justice and as such, this writ petition is very much maintainable. When there is violation of principles of natural justice, no notice is required to be served to the third respondent since this Court is remanding the matter back to the first respondent for fresh disposal.

4. In view of the above, the impugned order dated 02.09.2025 of the first respondent is quashed and the matter is remanded back to the first respondent for fresh disposal after conducting due enquiry by giving notice to the petitioner and the third respondent and other counter parties, if there are, and after giving opportunity of personal hearing to them, on



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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. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

17.10.2025

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To
1.The Revenue Divisional Officer,
Revenue Divisional Office,
Kurinjipadi,
Cuddalore District
2.The Tahsildar,
Kurinjipadi Taluk,
Cuddalore District
3.The Government Advocate,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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