



W.P.(MD)No.2918 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.2918 of 2025
and WMP(MD)No.2052 of 2025

N.Palanichamy

... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Collectorate Campus,
Dindigul.

2. The District Revenue Officer,
Dindigul District,
Dindigul.

3. The Tahsildar,
Aathur Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned rejection order dated 17.12.2024 passed on the Petitioners application bearing No. 2024/01013/13/347690 dated 04.12.2024 on the file of the 3rd respondent and quash the same as being illegal and further direct the 3rd respondent to issue patta in the name of the petitioner within a time frame to be fixed by this Honble Court.

For Petitioner : Mr.S.Loganathan
For Respondents : Mr.M.Muthumanikkam
Government Advocate



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ORDER

The writ petition is filed challenging the impugned rejection order dated 17.12.2024 passed by the third respondent and quash the same and consequently direct the third respondent to issue patta in the name of the petitioner within a time frame to be fixed by this Court.

2. With consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner's mother executed a registered gift settlement deed in respect of the land in S.NO.14/3, in Ambadurai Village, Aathur Taluk, Dindigul District in favour of the petitioner in Doc.No.1089/2020. The petitioner attempted to sell the said land. However, the Sub Registrar, Chinnalapatti refused to register the sale deed. Therefore, the petitioner filed WP(MD)No. 5309 of 2023 which was allowed by this Court on 11.09.2024, directing the Sub Registrar to register the petitioner's sale deed. At the request of the petitioner's buyer, the petitioner applied for transfer of patta on 04.12.2024, through online in application NO.2024/01013/13/347690 along with necessary fees and relevant documents. Thereafter, the third respondent passed rejection order rejecting the petitioner's online application. Hence, the petitioner filed the above writ petition for the aforesaid relief.



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4. The third respondent rejected the petitioner's application by the impugned order without assigning any reason in support of the same. Further, the impugned order is delivered through online portal. This Court time and again stated that the application for grant of patta has to be considered in strict compliance with Section 10 of the Patta Passbook Act r/w Rule 4 of the Patta Passbook Rules. Since the impugned order is in violation of the procedures contemplated under the Patta Passbook Act, the same cannot be sustained and the same is set aside. The third respondent is directed to strictly follow the procedures contemplated under Section 10 of the Patta Passbook Act r/w Rule 4 of the Patta Passbook Rules, conduct an enquiry, give reasonable opportunity of hearing to the petitioner as well as the interested persons and thereafter pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

31.01.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
CM



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To:

1. The District Collector,
Dindigul District,
Collectorate Campus,
Dindigul.
2. The District Revenue Officer,
Dindigul District,
Dindigul.
3. The Tahsildar,
Aathur Taluk,
Dindigul District.



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N.MALA, J.

CM

W.P.(MD)No.2918 of 2025
and WMP(MD)No.1909 of 2025

31.01.2025