



W.P.(MD) No.3217 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.3217 of 2025

and

W.M.P(MD)Nos.2247, 2248 and 2249 of 2025

Rakku

... Petitioner

vs.

1.The District Collector,
Office of the District Collectorate,
Sivagangai District.

2.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.

3.The Sub Registrar,
Sivagangai Taluk,
Sivagangai District.

4.The Tahsildar,
Sivagangai, Sivagangai District.

5.The Zonal Deputy Tahsildar,
Office of the Tahsildar,
Sivagangai, Sivagangai District.

6.Pichai

... Respondents

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W.P.(MD) No.3217 of 2025

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the patta transfer order passed by the fifth respondent in his proceedings in T.R.No. 2024/0103/23/231659TR dated 06.11.2024 and the consequential patta issued in the name of the sixth respondent vide patta No.1411 and quash the same as illegal and to restore the same in the name of the petitioner's father viz., Subramanian within the period that may be stipulated by this Court.

[Prayer amended vide order dated 07.02.2025 in W.M.P(MD)No.2563 of 2025]

For Petitioner : Mr.M.Mohamed Nihal
for M/s.Ajmal Associates

For Respondents : Mr.S.Kameswaran
Government Advocate for R1 to R5

ORDER

The Writ Petition is taken up for final disposal, considering the fact that the petitioner has not been put on notice about the cancellation of patta in and by the impugned proceedings dated 06.11.2024.

2.Admittedly, even the impugned order recognizes the existing right of the petitioner in the subject lands. However, without affording an opportunity to the



W.P.(MD) No.3217 of 2025

petitioner, the patta standing in the name of the petitioner has been cancelled and a fresh patta has been issued in favour of the sixth respondent.

3.In view of the above position, I do not see any requirement into the merits of the other grounds raised in the writ petition. On the limited ground that the principles of natural justice have been violated by not hearing the petitioner before cancelling the patta in her name. Hence, the petitioner is entitled to the relief.

4.Accordingly, this Writ Petition is allowed and the impugned order is set aside. The matter is remitted to the fourth respondent/Tashildar, who shall hear the matter afresh after giving an opportunity to the petitioner as well as the sixth respondent and pass orders, in accordance with law and on merits, within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

07.02.2025

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3/5



W.P.(MD) No.3217 of 2025

WEB COPY NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

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W.P.(MD) No.3217 of 2025

P.B.BALAJI, J.

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W.P.(MD) No.3217 of 2025

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