



W.P.(MD)No.3500 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.3500 of 2025
and
W.M.P(MD)Nos.2484 & 2485 of 2025

Malliga

.... Petitioner

/Vs./

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer/Sub Collector,
Cheranmahadevi Taluk,
Tirunelveli District.

3.The Tahsildar,
Cheranmahadevi Taluk,
Cheranmahadevi,
Tirunelveli District.

4.The Village Administrative Officer,
Thiruviruthan Pulli Village-2,
Cheranmahadevi Taluk,
Cheranmahadevi,
Tirunelveli District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the proceedings of the second respondent in Ne.Mu. 9900/2024/Aa3 dated 19.12.2024 and consequential implement patta No. 370 at Tiruviruthanpulli Village -2, Cheranmahadevi Village, Tirunelveli District passed by the second respondent herein and quash the same as illegal and further directing the third respondent to restore the petitioner joint patta No.1700 at Tiruviruthanpulli Village -2, Cheranmahadevi Village, Tirunelveli District.

For Petitioner : Mr.S.Krishnan

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

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

2. I have heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner sought for issuance of Certiorarified Mandamus to quash the impugned proceedings, dated 19.12.2024 and



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consequently, direct the third respondent to restore the joint patta which includes the petitioner's name in the patta No.1700.

4. The petitioner has purchased the subject land in and by the sale deed, dated 21.12.2021 and thereafter, the revenue records including the Joint Patta have the name of the petitioner included in the same. However, the petitioner in the last week of January 2025 came to know that his patta standing in his name has been converted as patta No. 370 as if the land belongs to the Government Hospital and also mentioned the names of deceased persons. The petitioner has therefore, approached the third respondent for necessary rectification. However, in and by the impugned proceedings, the second respondent has proceeded to cancel the petitioner's patta without even affording an opportunity to the petitioner before embarking on such exercise. The impugned order is clearly violative of principles of natural justice and on this ground alone, the impugned order is vitiated and it is liable to be set aside.

5. However, it is open to the second respondent to conduct an enquiry and after affording fair opportunity to the interested parties,



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shall take final decision in the matter. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is allowed and the impugned order of the second respondent is set aside, with liberty to the second respondent to conduct fresh proceedings, after giving an opportunity of hearing to the petitioner and other interested parties and thereafter, pass final orders, in accordance with law. No costs. Consequently, connected miscellaneous petitions are also closed.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

am

Order made in
W.P.(MD)No.3500 of 2025

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