



W.P.(MD) No.3619 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.3619 of 2025

Maheswaran

... Petitioner

VS.

1.The District Collector,
Virudhunagar District.

2.The Tahsildar,
Vembakottai Taluk,
Virudhunagar District.

3.The Taluk Surveyor,
Vembakottai Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned online rejection order dated 21.12.2024 passed by the second respondent in Patta Transfer Application No.2024/0105/26/420098 and quash the same as Arbitrary, illegal, inconsequentialy direct the second respondent to transfer the patta in the name of the petitioner and his family members for the land comprised in S.No.101/3B1D, Kundaiyirupu Village, Vembakottai Taluk, Virudhunagar District measuring to an extent of 8 cents by providing fair opportunity of being heard to the petitioner by following the principles of natural justice within a stipulated time that may be fixed by this Court.



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For Petitioner : Mr.R.Rajamohan

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The Writ Petition challenges the rejection of his online application for issuance of patta dated 21.11.2024, by an order dated 21.12.2024.

2.The learned counsel for the petitioner would invite my attention to the impugned order dated 21.12.2024, where the application for patta has been rejected by the second respondent/Tahsildar not only without assigning reasons but also without affording an opportunity to the petitioner to advance his submissions.

3.The learned Additional Government Pleader would submit that there is an appellate remedy available to challenge the rejection of patta and therefore, the writ petition ought not to be entertained.

4.However, on going through the impugned order, I am unable to justify the cancellation of patta at the end of the second respondent for two reasons. Firstly,



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the petitioner was not put on notice before the said cancellation and secondly, the second respondent has not assigned any reasons for the cancellation of patta and in the column reason for rejection, it is merely stated rejected. Therefore, the said order is clearly unsustainable in the eye of law and has to necessarily go.

5.In view of the above, this Writ Petition is allowed. The impugned order dated 21.12.2024 passed by the second respondent is set aside and the matter is remitted back to the second respondent, who shall issue notice to the petitioner and after affording an opportunity to the petitioner to submit relevant documents and thereafter, the second respondent shall consider the petitioner's application dated 21.11.2024 for issuance of patta in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order. No costs.

10.02.2025

sjj

NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

1.The District Collector,
Virudhunagar District.



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2.The Tahsildar,
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