



W.P.(MD)No.3764 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.3764 of 2025

and

W.M.P.(MD)Nos.2708 & 2710 of 2025

A.Vellaiappan

: Petitioner

Vs.

1.The Tahsildar,

Thirumangalam Taluk,

Thirumangalam,

Madurai District.

2.The Sub Registrar,

Chekkannurani,

Madurai District.

3.Thavamani

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records relating to the proceedings of the first respondent made in TR No. 2025/24/23/000938SD dated 30.01.2025 and quash the same.



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For Petitioner : Mr.R.Murali
For Respondents 1 & 2 : Mr.S.Kameswaran
Government Advocate
For Respondent No.3 : Mr.G.Sakthi Rao

ORDER

The petitioner challenges the impugned order by the first respondent in TR No.2025/24/23/000938SD dated 30.01.2025.

2.I have heard the learned Counsel for the petitioner, Mr.S.Kameswaran, learned Government Advocate appearing for the respondents 1 & 2 and Mr.G.Sakthi Rao, learned Counsel appearing for the third respondent.

3.The case of the petitioner is that he is one of the sons of Ayyanan in whose name joint patta was standing in respect of S.No. 207/6, along with the third respondent who had purchased an extent of 25 ½ cents in and by registered sale deed dated 25.09.1995.

4.Admittedly, the petitioner's brother is the husband of the third respondent. The said Ayyanan is no more. Even in terms of the revenue records as seen from the impugned order, S.No.207/6, it has been jointly mutated in the names of Ayyanan and Jeyaraj. Therefore,



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the mutation ought to have been made only after putting the legal heirs of Ayyanan, on notice. The impugned order does not reflect any such exercise of calling upon the legal heirs of Ayyanan, either to accept or object the same.

5.In view of the above, there is clear violation of principles of natural justice. Therefore, the matter is remitted to the first respondent to reconsider the application of the third respondent after hearing the petitioner, the third respondent and other legal heirs of Ayyanan and pass orders within a period of twelve [12] weeks from the date of receipt of a copy of this order, on merits and in accordance with law.

6.Accordingly, this Writ Petition stands allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

07.03.2025

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

1.The Tahsildar,
Thirumangalam Taluk,
Thirumangalam,
Madurai District.

2.The Sub Registrar,
Chekkanurani,
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P.B.BALAJI., J.

MR

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