



W.P.(MD)No.4307 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2025

CORAM:

**THE HONOURABLE MR JUSTICE P.B. BALAJI**

W.P.(MD)No.4307 of 2025  
and  
W.M.P(MD)Nos.3081 & 3083 of 2025

PR.Mahendran

.... Petitioner

/Vs./

- 1.The District Collector,  
Sivagangai.
- 2.The District Revenue Officer,  
Sivagangai.
- 3.The Revenue Divisional Officer,  
Sivagangai.
- 4.The Tahsildar,  
Devakottai Taluk,  
Devakottai,  
Sivagangai District.
- 5.The Zonal Deputy Tahsildar,  
Devakottai Taluk,  
Devakottai,  
Sivagangai District.
- 6.The Village Administrative Officer,  
Aravayal Group,



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Devakottai Taluk,  
Sivagangai District.

7.C.Jeevanandham

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the fifth respondent dated 31.07.2024 in file No.2024/0103/23/219554 and quash the same and direct the respondents to issue patta to the petitioner for the lands in Survey No. 108/18, admeasuring a total extent of 40 cents, in Aaravayal Village and Group, Devakottai Taluk, Sivagangai District.

|                |                               |
|----------------|-------------------------------|
| For Petitioner | : Mr.V.R.Shanmuganathan       |
| For R1 to R6   | : Mr.B.Saravanan              |
|                | Additional Government Pleader |

### **ORDER**

The petitioner challenges the impugned order of the fifth respondent dated 31.07.2024 rejecting the petitioner's request for patta transfer in his name.

2. It is the specific case of the petitioner that patta was mutated in the name of his father, who executed his last Will and



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testament bequeathing the subject property to the petitioner. Under the strength of the said Will, the petitioner has sought for name transfer in the patta. However, in and by the impugned order without any notice or opportunity to the petitioner based on the report of the Village Administrative Officer, the Tahsildar has proceeded to reject the petitioner's application in the online mode.

3. I have gone through impugned order and there is no indication of any enquiry conducted or the petitioner being put on notice and being called upon to produce the relevant documents. Without doing so and without giving a fair opportunity to the petitioner, the application has been rejected on the ground that the title deeds and original deeds have not been produced. The said rejection order is clearly violative of the principles of natural justice which are enshrined in the Constitution of India.

5. In view of the above and on this limited ground, I am inclined to set aside the impugned order and remit the matter to the fifth respondent for fresh enquiry, after affording a personal hearing to the



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petitioner as well as the seventh respondent. The fifth respondent shall conduct an enquiry in accordance with law and in compliance with the provisions of the Patta Passbook Act and pass final 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.

6. In the result, the writ petition is allowed. No costs.

Consequently, connected miscellaneous petitions are closed.

Index : Yes / No

NCC : Yes / No

am

**19.02.2025**

To

1.The District Revenue Officer,  
Trichy District,  
Trichy.

2.The Revenue Divisional Officer,  
Lalgudi Division,  
Lalgudi, Trichy.

3.The Tahsildar,  
Lalgudi Taluk,  
Lalgudi, Trichy.



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**P.B. BALAJI, J.**

am

Order made in  
W.P.(MD)No.4307 of 2025

Dated:  
19.02.2025