



W.P.(MD)No.4792 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.4792 of 2025
and W.M.P.(MD)No.3484 of 2025

A.Kurinchinathan

... Petitioner

/Vs./

1.The Revenue Divisional Officer,
Dindigul Revenue Division,
Dindigul.

2.The Tahsildar,
Natham Taluk, Natham,
Dindigul District

3.The Firka Surveyor,
Natham Taluk, Natham,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of rejection impugned through online passed by the 2nd respondent dated Nil and quash the same and consequently direct the 2nd and 3rd respondents herein to carry out the work of Sub Division



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of the petitioner's land and mutation of the patta in the petitioner's name separately bearing Re-Survey No.252/6C to an extent of 4 cents and 2 cents respectively, situated at Ayan Samuthirapatti Village within the Natham Sub Registration District and Dindigul Registration District, on the basis of his online petition with registration Number 2024/0105/13/455335 dated 23.12.2024 in the office of the 2nd respondent.

For Petitioner : Mr.A.Ramesh

For Respondents : Mr.M.Lingadurai,
Special Government Pleader

ORDER

The petitioner challenges the impugned order of online rejection order passed by the second respondent.

2. Admittedly, the impugned order is not a speaking order. However, the learned Special Government Pleader, on instructions, would submit that the petitioner was unable to show four boundaries of his property under any valid convincing documents and only under such circumstances, the impugned order came to be passed.



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3. Per contra, it is the case of the petitioner that the sale deed under which the petitioner claimed right is in respect of a schedule, which is bounded on all four sides, clearly mentioning definite boundaries and therefore, without even noticing the documents that have been produced by the petitioner, the impugned order came to be passed.

4. Admittedly, it is seen that the impugned order of rejection was in the online mode and it does not disclose of any opportunity given to the petitioner to produce relevant documents. Though the petitioner contends that he has already given his documents to the respondents, in the light of the impugned order that the petitioner has not been able to show his four boundaries, the impugned order is set aside on the limited ground of depriving the petitioner of a personal hearing to meet the objections of the second respondent regarding the boundaries.

5. In view of the above, the impugned order is set aside. The matter is remitted to the second respondent, who shall afford an opportunity by way of personal hearing to the petitioner to produce documentary evidence in support of his claim and also satisfy the second



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respondent with regard to the four definite boundaries as well as physical possession of the subject property being with the petitioner. Thereupon the second respondent shall pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No

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P.B. BALAJI, J.

vsm

Order made in
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