



W.P.(MD)No.4882 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.4882 of 2025

and

W.M.P.(MD)No.3544 of 2025

Boss

: Petitioner

Vs.

1.The Assistant Collector,
Paramakudi Division,
Ramanathapuram District.

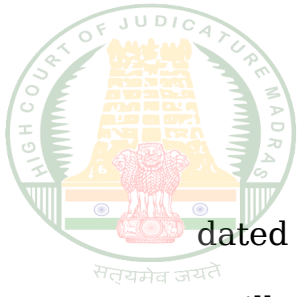
2.The Revenue Divisional Offcier,
Paramakudi Division,
Ramanathapuram District.

3.The Tahsildar,
Muthukulathur Taluka,
Ramanathapuram District.

4.K.P.Panneerselvam

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Pa.Mu.(A4)/7211/2023



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dated 20.10.2023 passed by the first respondent and quash the same as illegal and consequently direct the third respondent to restore the patta in survey No.255/2B and 255/2C.

For Petitioner : Mr.B.Mahendrarajan
For Respondents 1 to 3 : Mr.S.Kameswaran
Government Advocate

ORDER

The petitioner challenges the impugned order of the first respondent in Pa.Mu.(A4)/7211/2023 dated 20.10.2023.

2.The main grievance of the petitioner is that when the patta had admittedly been mutated in the name of the petitioner, after considering the registered documents in his favour, without notice to the petitioner, at the behest of the fourth respondent who had no right, title or interest over the subject property, the first respondent has proceeded to cancel the patta issued to the petitioner.

3.On going through the impugned order dated 20.10.2023, it is clear that the petitioner was not put on notice and the impugned order came to be passed merely based on the application of the



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fourth respondent. On this limited ground, the impugned order is liable to be set aside. The matter is remitted to the first respondent, to conduct a fresh enquiry, after giving advance notice to the petitioner as well as the fourth respondent and any other interested parties and consider their respective objections and thereafter, pass an order on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order.

4. Accordingly, this Writ Petition stands allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

07.03.2025

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



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P.B.BALAJI., J.

MR

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