

**WA(MD). No.455 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**Date : 04/03/2025**

**CORAM**

**THE HONOURABLE Mrs. JUSTICE J.NISHA BANU**

**AND**

**THE HONOURABLE Mrs. JUSTICE S.SRIMATHY**

**WA(MD). No.455 of 2025  
and CMP(MD) No.3608 of 2025**

Pitchai

... Appellant

v.

1.Rakku

2.The District Collector  
O/o.the District Collector  
Sivagangai District.

3.The Revenue Divisional Officer,  
Sivagangai Taluk  
Sivagangai District

4.The Sub-Registrar  
Sivagangai Taluk  
Sivagangai District

5.The Tahsildar  
Sivagangai Taluk  
Sivagangai District

... Respondents



**WA(MD). No.455 of 2025**

**PRAYER :-** Writ Appeal filed under Clause 15 of Letters patent against the order of this Court dated 07.02.2025 in WP(MD). No.3217 of 2025.

For Appellants : Mr.K.Sankar  
For Respondent : Mr.M.Sarangan for R2 to R6  
Additional Government Pleader

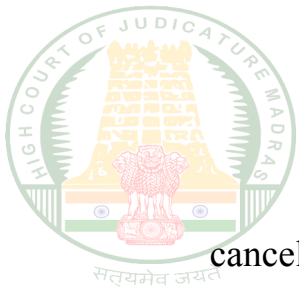
### **JUDGMENT**

(Judgment of the Court was delivered by J.NISHA BANU,J.)

The writ appeal is directed against the order of the writ Court dated 07.02.2025 in WP(MD) No.3217 of 2025.

2. The 6<sup>th</sup> respondent in the writ petition is the appellant herein.

3. The writ petitioner/first respondent herein had filed the writ petition challenging the impugned order of the Zonal Deputy Tahsildar, in and by which, the patta standing in the name of the writ petitioner was cancelled and a fresh patta was issued in favour of the 6<sup>th</sup> respondent. The learned Single Judge has allowed the writ petition by remitting the matter back to the 4<sup>th</sup> respondent/Tahsildar therein for fresh disposal for fresh hearing and disposal on the simple ground that principles of natural justice has been violated in not hearing the writ petitioner before



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cancelling the name of the petitioner in the patta. Challenging the said order, the appellant is before this Court.

4. It is the stand of the learned counsel for the appellant that the writ petition has been decided at the admission stage itself and without hearing the appellant herein. The learned counsel would further submit that the 1<sup>st</sup> respondent has suppressed the material facts in the writ petition and that the Tahsildar has rightly issued patta in favour of the appellant herein and hence, prays for interference of the order of the writ Court.

5. We have considered the rival submissions and perused the materials available on record.

6. From the submission of the learned counsel for the appellant, it is seen that the writ Court while allowing the writ petition filed by the 1<sup>st</sup> respondent has remitted the matter back to the Tahsildar for fresh hearing and disposal and the Tahsildar was also directed to hear not only the writ petitioner but also the appellant herein and pass orders after giving



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opportunity to both the writ petitioner and the appellant herein.

Therefore, the ground that has been raised is not a valid one that the appellant. Hence, no interference is warranted to the order of the writ Court. Accordingly, the writ appeal stands dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

**[J.N.B.,J]**

**[S.S.Y.,J]**

**04.03.2025**

**NCC : Yes/No**

**Index : Yes/No**

RR

To

2.The District Collector

O/o.the District Collector

Sivagangai District.

3.The Revenue Divisional Officer,

Sivagangai Taluk

Sivagangai District

4.The Sub-Registrar

Sivagangai Taluk

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5.The Tahsildar

Sivagangai Taluk

Sivagangai District

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**J.NISHA BANU, J**  
**AND**  
**S.SRIMATHY, J.**

**RR**

**ORDER**  
**IN**  
**WA(MD) No.455 of 2025**

**Date : 04/03/2025**