



W.P.(MD)No.6203 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.03.2025**

CORAM:

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

W.P.(MD)No.6203 of 2025

and

W.M.P(MD)No.4545 of 2025

Gomathi

... Petitioner

/Vs./

The Tahsildar,  
Rajapalayam Taluk,  
Virudhunagar District.

... Respondent

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent vide proceedings in Application Number 2024/0105/26/465520 dated 04.03.2025 and quash the same as illegal and direct the respondent to issue patta to the petitioner for the property situated in the Survey No. 129/1, Arasiyarpatti Village, Keelarajakularaman Sub-Registrar, Virudhunagar District within a stipulated time that may be fixed by this Court.



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For Petitioner : Mr.R.Karunanidhi  
For Respondents : Mr.B.Saravanan  
Additional Government Pleader

### **ORDER**

With the consent of the counsel appearing on either side, the writ petition is taken up for final disposal at the admission stage itself.

2. I have heard the learned counsel appearing for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondent.

3. The petitioner challenges the impugned order of the respondent, dated 04.03.2025, on the ground that the impugned order has been passed in violation of principles of natural justice, having passed without affording an opportunity to the petitioner to submit documents. According to the learned counsel for the petitioner, the order is a non-speaking order and no reasons have been assigned for rejection of the order passed by the respondent.



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4. The learned Additional Government Pleader appearing for the respondent would submit that in the online website, the final result alone would be made available and if the aggrieved party approaches the authority concerned, then a detailed order would be furnished and there upon it should be open to the aggrieved party to challenge the same in the manner known to law.

5. The learned counsel for the petitioner would invite my attention to the order of this Court in ***M. Rani vs. District Collector and others*** reported in ***(2025) 1 MLJ 178***. In a similar circumstances, this Court deprecated the practice of passing such orders in the digital platform. In Paragraph 7 of the said order, this Court has specifically held that the E-District Projects adopted by the State is a part of NeGP. The scheme not only envisages easy accessibility to the services, but also transparency in these services as well and when common citizen, whose request is turned down, such common citizen would certainly have a right to know the reasons for the refusal. In fact, in the very same decision, this Court has also given guidelines to be followed, viz.,



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- a) *On a preliminary perusal of the documents submitted alongwith the application, if the authorities feel that further documents are required, then they can inform the applicant to produce the said documents: and not proceed to reject the application on the ground of want of documents.*
- b) *If the authorities require any clarification, they can afford an opportunity to the applicant to clarify the doubt.*
- c) *If the documents are in order, the request may be granted and such orders need not be a speaking one.*
- d) *If the authority is convinced from the records that the request has to be rejected, then a speaking order citing the reasons shall be issued."*

6. It is seen that despite the detailed guidelines issued by this Court, the authorities continue to follow the earlier practice of rejecting the request without even affording an opportunity to the petitioner concerned. Even in the present case, no opportunity has been given to petitioner and even guideline 'a' has been violated. Therefore, I have no hesitation in setting aside the impugned order. I am remitting the matter to the respondent for fresh consideration and after hearing the petitioner and giving him sufficient opportunity to furnish all documents, the



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respondent shall pass final orders, within a period of eight weeks from the date of receipt of a copy of this order.

7. It is made clear that in future, whenever any online applications are made, the authorities are bound to strictly adhere to the guidelines that have been issued in *M.Rani's* case.

8. The Registry shall mark a copy of this order to the District Collector of all Districts who in turn shall keep all the subordinate revenue officials informed about the guidelines prescribed while dealing with online applications and ensure strict compliance of the same in future.

9. In view of the above, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No  
NCC : Yes / No  
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To

The Tahsildar,  
Rajapalayam Taluk,  
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**P.B. BALAJI, J.**

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Order made in  
W.P.(MD)No.6203 of 2025

Dated:  
07.03.2025