

W.P.(MD) No.6745 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.6745 of 2025

and

W.M.P(MD)Nos.5002 and 5004 of 2025

Murugesan

... Petitioner

vs.

1.The Collector,
Madurai District-625 020.

2.The Tahsildar,
Madurai East Taluk,
Madurai 625 107.

3.The Head Quarters Deputy Tahsildar,
Madurai East Taluk,
Madurai-625 107.

4.S.S.Rajan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the third respondent vide proceedings in T.R. 2024/0103/24/365645TR, dated 02.01.2025 and quash the same as illegal and consequently, direct the second respondent to restore the patta in the name of the petitioner.



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For Petitioner : Mr.R.Karunanidhi

For Respondents : Mrs.K.Malathi
Additional Government Pleader for R1 to R3

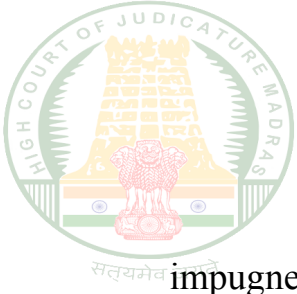
ORDER

Considering the limited scope of the relief sought for in this writ petition, with the consent of the learned counsel on either side, the writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner challenges the impugned order of the third respondent in T.R.2024/0103/24/365645TR, dated 02.01.2025 and to consequently direct the second respondent to restore patta in the name of the petitioner.

3.Heard the learned counsel on either side.

4.The petitioner challenges the order of the third respondent on the ground of violation of principles of natural justice, namely, in not providing an opportunity to the petitioner in whose name patta was already mutated. On going through the impugned order, I find that not only no notice has been served on any of the interested parties, but without assigning any reasons whatsoever, the



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impugned order has been passed directing mutation of patta in the names of the fourth respondent and others. In view of the above, the impugned order is wholly unsustainable and liable to be set aside.

5.In fine, this Writ Petition is allowed and the impugned order dated 02.01.2025 in T.R.2024/0103/24/365645TR, is set aside. The matter is remitted to the second respondent to consider the application of the fourth respondent, on merits and in accordance with law, after affording an opportunity to the petitioner, the fourth respondent as well as any other interested parties. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. Subject to the outcome of the enquiry, the mutation of revenue records shall be given effect to. No costs. Consequently, connected miscellaneous petitions are closed.

13.03.2025

sjj

NCC: Yes/No

Index : Yes / No

Internet : Yes / No



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P.B.BALAJI, J.

sjj

To

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- 2.The Tahsildar,
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Madurai 625 107.
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