



W.P(MD)No.7200 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.7200 of 2025

K.Dharmaraja

... Petitioner

VS.

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3. The Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

4. Pappa

5. C. Narayanamoorthy

6. Nalanarayanan

7. Sivakavi

... Respondents

1/7



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, 26 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to cancel the free pattas granted in favour of Late Chithiraputhiran and the respondents 4 to 7 in Survey Nos.650/39, 650/40, 650/41 and 650/42 and Patta Nos.775, 776 and 779 respectively based upon the report of the 3rd respondent in Mu.Mu. Aa3/4966/2023 dated 19.06.2023.

For Petitioner	: Mr.M.Kannan
For R1 - R3	: Mr.P.Thilak Kumar Government Pleader
For R4 - R7	: Mr.M.Thirunavukkarasu

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The Writ on hand has been instituted to direct the respondents 1 and 2 to cancel the free pattas granted in favour of Late Chithiraputhiran and the respondents 4 to 7 in Survey Nos.650/39, 650/40, 650/41 and 650/42 and Patta Nos.775, 776 and 779 respectively based upon the report of the 3rd respondent in Mu.Mu. Aa3/4966/2023 dated 19.06.2023.



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2. The learned counsel for the petitioner would submit that the respondents 4 to 7 are not eligible to avail free patta under the Government Schemes, since the family of the respondents 4 to 7 possess 15 acres of land. As per the Revenue Standing Orders, the Government lands are to be assigned only to the landless poor people and therefore, the patta has been granted in violation of Revenue Standing Orders and the terms under the Government Schemes.

3. The learned Government Pleader appearing on behalf of the respondents 1 to 3 would submit that action was initiated based on the complaint. The Revenue Tahsildar, Srivilliputhur, conducted an enquiry and submitted a report to the Revenue Divisional Officer, Sivakasi. A final order is yet to be passed.

4. The learned counsel appearing on behalf of the respondents 4 to 7 would oppose by stating that the respondents and their family are residing for several years and they possess patta rightfully. Thus, the complaint is personally motivated and the writ petition is to be rejected.



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5. The contesting respondents are also have given complaint against the petitioner and other persons.

6. May that as it be. This Court cannot conduct adjudication on disputed facts which is relating to grant of free patta under the Government Schemes. This requires factual adjudication from the hands of the authorities. The learned counsel for the respondents 4 to 7 would submit that it is a Natham Patta and therefore, the occupant is entitled to have patta. Mere occupation of the Grama Natham land would not confer title or ownership. Natham lands are to be distributed to landless poor people in terms of Revenue Standing Orders No.21. In this context, this Court elaborately considered the issues in the case of the ***Tahsildar v. T.Elumalai***, reported in ***Neutral Citation 2025:MHC:1238*** and the authorities have to follow the legal principles settled in the said judgment.

7. As far as the present case is concerned, the Tahsildar, Srivilliputhur, had already conducted an enquiry. The learned counsel for the respondents 4 to 7 would submit no opportunity was granted to them. Therefore, this Court is inclined to grant two (2) weeks from the date of receipt of a copy of



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this order. If at all the respondents 4 to 7 has submitted any such documents, the same also may be considered by the competent authorities before taking final decision.

8. In view of the facts and circumstances, the second respondent is directed to consider the issues on merits and based on the documents available on record and pass appropriate final orders within a period of eight (8) weeks from the date of expiry of two (2) weeks from the date of receipt of a copy of this order.

9. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

[S.M.S.,J.] & [A.D.M.C.,J.]
09.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN



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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

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ORDER MADE IN
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DATED : 09.06.2025