



W.A(MD)No.1711 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)No.1711 of 2025
and
C.M.P(MD)No.9538 of 2025**

1.The Appellate authority and
Sub – Collector,
Cheranmahadevi,
Tirunelveli District.

2.The Tahsildar,
Radhapuram Taluk,
Tirunelveli.

... Appellants /
Respondents 1 & 2

Vs.

1.A.Antony Joseph

... 1st Respondent /
Writ Petitioner

2.Jem.Jem Shakila

3.Nambirajan

... Respondents 2 & 3 /
Respondents 3 & 4

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order made in W.P(MD)No.16089 of 2024 and allow this writ appeal.



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For Appellants : Mr.N.Satheesh Kumar
Additional Government Pleader

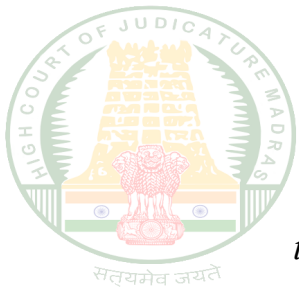
For Respondents : Mr.H.Arumugam for R.1
Mr.J.Barathan for R.3

JUDGMENT

(Judgment of the Court was made by **G.R.Swaminathan J.**)

This Writ Appeal is directed against the order dated 20.09.2024 made in W.P(MD)No.16089 of 2024 filed by the petitioner herein. The writ petition was taken up along with the another writ petition filed by the first respondent herein and disposed of. Paragraph no.5 of the order dated 20.09.2024 reads as follows:

“5.The learned counsel for the petitioner has produced the FMB sketch, which would show that the patta has been granted with reference to S.No.178/2, which is shown in the eastern extreme of S.No.178 stretching from north to south, whereas the documents of title would show that it is the entire northern extreme. Therefore, the impugned orders are set aside. The land in S.No.178 shall be surveyed and measured in tune with the documents of title that both the owners viz., the petitioner as well as the fourth respondent would produce. The Tahsildar shall issue notice informing the parties about



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the date of inspection and on receipt of the same, the petitioner as well as the fourth respondent shall be present with their documents of title and based upon the above documents, survey shall be conducted, property is measured and demarcated with boundaries and consequently, patta and FMB sketch shall be issued to the petitioner. The entire process shall be completed within a period of one month from the date of receipt of a copy of this order.”

2.The learned Additional Government Pleader appearing for the appellants submits that the case on hand pertains to Survey No.178/2, Therku Kallikulam Village. It is stated that a wrong FMB was uploaded in the portal and that led to all the subsequent consequences. It is now stated that the appellants are ready to take down the erroneous FMB and replace the same with the earlier FMB which was prepared during UDR in the year 1983. Any aggrieved individual is at liberty to approach the District Revenue Officer, Tirunelveli. If any such petition is filed, it shall be taken on file immediately and disposed of as per law within a period of four months thereafter. He also states that the order impugned in the writ petition will also be recalled.

3.Since the basis on which the present writ proceedings were instituted itself has been undermined, the order of the learned single Judge is set aside. The order impugned in the writ petition passed by the Revenue Divisional



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Officer shall not be taken note of by the District Revenue Officer when he is
conducting enquiry.

4.This Writ Appeal is disposed of accordingly. There shall be no order as
to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [K.R.S., J.]

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NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA



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and

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