



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2025

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THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.9373 of 2025

and

W.M.P.(MD)No.7005 of 2025

1.R.S.Ramanathan

2.Uma Ramanathan

: Petitioners

Vs.

1.The District Collector,
Collectorate,
Dindigul District.

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3.The Revenue Divisional Officer cum Deputy Executive Magistrate,
Kodaikanal,
Dindigul District.

4.The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the



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records of the third respondent in Na.Ka.No.701-46/2019/A2 dated 20.09.2019 and quash the same and consequently direct the respondents 1 to 4 herein to issue patta in respect of the land in Old S.No.785, Resurvey T.S.No.8, Ward No.C, Block No.2 of Vilupatti Village, Kodaikanal Taluk, Kodaikanal Sub District, Dindigul District measuring an extent of 15 cents in the petitioners name within the time stipulated by this Court.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.M.Ajmal Khan,
Additional Advocate General,
Assisted by Mr.M.Lingadurai,
Special Government Pleader

ORDER

Heard Mr.V.Meenakshi Sundaram, learned Counsel appearing for the petitioners and Mr.M.Ajmal Khan, learned Additional Advocate General assisted by Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents.

2.Learned Additional Advocate General fairly concedes that the impugned order cannot stand the scrutiny of law, since the same has been passed without affording an opportunity to the persons interested, including the petitioners' vendor's vendor, in whose name patta has been mutated, leave alone not considering the plan approved by the local bodies in favour of the petitioners.



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3.In view of the above fair concession shown by the learned Additional Advocate General, the impugned order is set aside and it shall be open to the third respondent to initiate fresh proceedings, if deemed appropriate and necessary in accordance with law, after issuing fresh notice to the petitioners. In the meantime, the petitioners are directed to make a separate application for issuance of patta, which shall be considered by the third respondent, without being influenced by any of the observations made in the impugned order which is being set aside by this order. The petitioner shall make an application for patta within a period of two [2] weeks from the date of receipt of a copy of this order and the said application shall be taken up on merits and disposed of, within a period of eight [8] weeks, thereafter, in accordance with law.

4.The Writ Petition is allowed with the above direction. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

21.04.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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P.B.BALAJI., J.

MR

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