

W.P.(MD)No.9969 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.9969 of 2025

and

W.M.P(MD)No.7428 of 2025

1.R.Nagarajan

2.N.Shobana

... Petitioners

Vs.

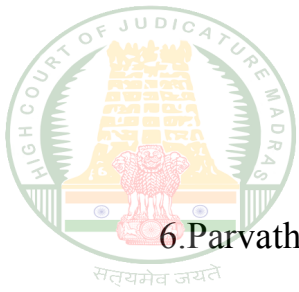
1.The District Collector,
Collector Office,
Theni, Theni District.

2.The District Revenue Officer,
District Revenue Office,
Theni, Theni District.

3.The Revenur Divisional Officer,
Uthamapalayam Division,
Theni, Theni District.

4.The Tashildar,
Taluk Office,
Uthamapalayam Taluk,
Uthamapalayam, Theni District.

5.The Town Surveyor,
Chinnamanur Municipality Campus,
Chinnamanur, Theni District.



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6.Parvathi @ Parvanadevi

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the Impugned Online order dated.19.02.2025 passed by the second Respondent and quash the same and thereby directed the Respondents 1 to 4 to change the FMB for T.S.No.36/2B of chinnamanur Village, Theni District as to admeasuring 28 cents within stipulated time.

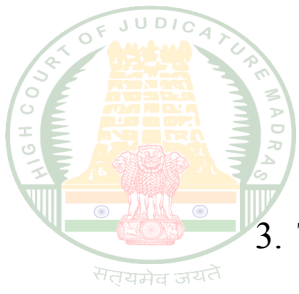
For Petitioners : Mr.B.Rajesh Saravanan

For R1 to R5 : Mr.S.Jeyapriya
Government Advocate

ORDER

The petitioners challenge the online order dated 19.02.2025 of the second respondent.

2. The learned counsel for the petitioners would invite the attention of this Court to the impugned order and contended that the order has been passed in a cryptic and summary fashion, even without hearing the petitioners.



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3. The grievance of the petitioners is that the second petitioner and the sixth respondent are sisters and they were entitled to 30 cents each under a registered partition deed. However, subsequently 2 cents of land were taken away from the second petitioner and 15 cents from the sixth respondent. However, without any notice to the petitioners, behind the back of the petitioners, the sixth respondent has approached the revenue authorities and thereby the patta issued to the petitioners stands has reduced and the extent entitled to the sixth respondent has also increased simultaneously. The grievance of the petitioners is that there was no enquiry or notice prior to the impugned order being passed.

4. I have gone through the records and the impugned order. The impugned order is one word rejection order and I don't find any opportunity being given to the petitioners or an enquiry being conducted before the order was passed by the second respondent.

5. In view of the above, I am inclined to set aside the impugned order. Accordingly, the writ petition is allowed. The impugned order, dated 19.02.2025 is set aside and the matter is remitted to the second respondent. The second respondent shall pass final orders on merits and in accordance with law,

3/5



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after hearing the petitioners as well as the sixth respondent, within a period of

12 weeks from the date of receipt of a copy of this order. No costs.

Consequently, the connected miscellaneous petition is closed.

16.04.2025

NCC:yes/no

Index:yes/no

Internet:yes/no

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To:

- 1.The District Collector,
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District Revenue Office,
Theni, Theni District.
- 3.The Revenur Divisional Officer,
Uthamapalayam Division,
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- 4.The Tashildar,
Taluk Office,
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Uthamapalyam, Theni District.
- 5.The Town Surveyor,
Chinnamanur Municipality Campus,
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P.B.BALAJI, J.

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