



W.P.(MD)No.9910 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.9910 of 2025

and

W.M.P(MD)Nos.7375 & 7376 of 2025

Yasotharani

... Petitioner

Vs.

1.The Tahsildar,
Viralimalai Revenue Taluk,
Viralimalai,
Pudukottai District.

2.The Revenue Divisional Officer,
Illuppur,
Pudukkottai District.

... Respondents

(R2 is suo motu impleaded by this Court vide Court order, dated 15.04.2025)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent vide his proceedings Nil dated 19.03.2025 and quash the same as illegal and consequently, direct the respondent to restore the patta in favour of the petitioner in respect of survey Number 123/37 and 123/45 for an extent of 0.4.00 and 0.2.50 hectors are situated at Kathalur Village, Viralimalai Taluk, Pudukottai District.



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For Petitioner : Mr.T.Vadivelan

For Respondents : Mr.S.Kameswaran
Government Advocate

ORDER

The Revenue Divisional Officer, Illuppur, Pudukkottai District is suo motu impleaded by this Court.

2. The petitioner challenges the order passed by the 1st respondent on 19.03.2025.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

4. According to the learned counsel appearing for the petitioner, without even affording an opportunity, the 1st respondent has proceeded to reject the petitioner's application for patta in respect of Survey Nos.123/37 and 123/45. In this regard, the learned counsel for the petitioner would invite my attention to the impugned order which has been communicated on the online portal mode to the petitioner. According to the learned counsel for the petitioner, the said order

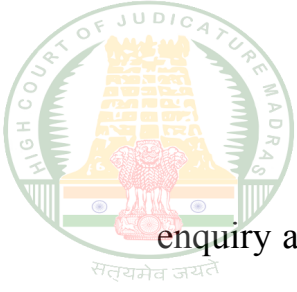


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was passed without even affording an opportunity to the petitioner to present his claims or meet the objections of the respondents.

5. However, learned Government advocate, on written instructions, submit that the petitioner had sought patta in respect of two survey numbers, namely 123/37 and 123/45. Insofar as Survey No.123/45, he would submit that the patta has already been mutated in the name of the writ petitioner. However, insofar as Survey No.123/37, he would submit that, even prior to UDR, patta was mutated in respect of the said survey number in the name of one Rasu s/o Azhagarsamy. Therefore, in view of the subsequent claim made by the petitioner for patta in respect of the very same survey number, the files have been forwarded to the competent authority, namely the 2nd respondent and the 2nd respondent would conduct due enquiry and pass orders on the petitioner's application.

6. Considering the above, prayer insofar as Survey No.123/45 does not survive and insofar as Survey No.123/37, the petitioner shall make a detailed representation to the 2nd respondent. Based on the said representation and the records received from the 1st respondent, the 2nd respondent shall conduct



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enquiry and give opportunity to the petitioner and also other interested parties /

stakeholders and pass final orders on the petitioner's application, within a period of twelve (12) weeks from the date of receipt of the petitioner's application.

7. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

15.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no

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To:

- 1.The Tahsildar,
Viralimalai Revenue Taluk,
Viralimalai,
Pudukottai District.
- 2.The Revenue Divisional Officer,
Illuppur,
Pudukkottai District.



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P.B.BALAJI, J.

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