



W.P.(MD)No.10693 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.10693 of 2025

and

W.M.P(MD)No.7950 of 2025

J.Estharani

.... Petitioner

/Vs/

1. The District Revenue Officer
Tenkasi District.
2. The Revenue Divisional Officer
Sankarankovil, Tenkasi District.
3. The Tahsildar
Sankarankovil, Tenkasi District. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 1st respondent vide Ni.Mu./I3/8100/2024 dated 15.02.2025 and quash the same as illegal and consequently direct the 1st respondent to recall his earlier order and to issue fresh notice to all necessary parties and enquire fresh and pass orders on merits.



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For Petitioner : Mr.S.Arivalagan

For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

I have heard the Mr.S.Arivalagan, learned counsel appearing for the petitioner and Mr.C.Satheesh, learned Government Advocate appearing for the respondents.

2. The learned counsel for the petitioner submits that the first respondent has passed the impugned order without considering the material documentary evidence in support of the petitioner's claim. In short, the contention of the learned counsel for the petitioner is that the property, in respect of which patta is sought for, is a private property and not Natham property, which belongs to either school or a church.

3. It is a categorical case of the writ petitioner that in private patta property, the school is being run for more than 50 years. Without considering this aspect, based on the G.O(Ms)No.221, Revenue and Disaster Department Management, dated 04.05.2023, which would not be



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applicable to the property on hand, the first respondent has proceeded to reject the petitioner's case.

4. On going through the order impugned in the writ petition, I find that the only ground on which the petitioner's request for patta in the name of the school has been rejected is citing serial number 9 of the paragraph 4 under 5 head issues in nomenclature in Natham Adangal, holding that the lands which are classified as schools and temples will have to be treated only as Sarakar Poramboke. The contention of the writ petitioner is that the Government Order will not apply to the property on hand and it has not been considered by the first respondent before rejecting the case of the petitioner. Therefore, I find force in the request of the counsel for the petitioner that the matter is to be remitted to the first respondent for fresh consideration.

5. In the light of the above, the writ petition is allowed and the impugned order is set aside. The matter is remitted to the first respondent to consider afresh the petitioner's request for patta in the name of the school and after providing an opportunity to the petitioner to produce all



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the relevant documents. The first respondent shall pass a well considered order in accordance with law and on merits, within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
am

17.04.2025

To

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Tenkasi District.
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3. The Tahsildar
Sankarankovil, Tenkasi District.



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P.B. BALAJI, J.
am

Order made in
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17.04.2025