

W.P.(MD)No.11074 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2025

CORAM

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

W.P.(MD)No.11074 of 2025

and

W.M.P.(MD)Nos.8245 & 8246 of 2025

Sorna Prabhakaran

: Petitioner

Vs.

1.The District Collector,
Thoothukudi District.

2.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

3.The Tahsildar,
Santhankulam Taluk,
Thoothukudi District.

4.Jeyasingh Nadar

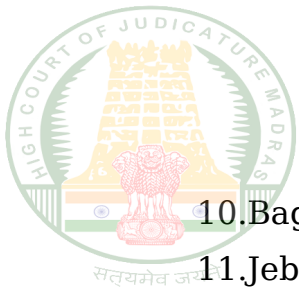
5.Priskilal

6.Selvin Thangadurai

7.Darris

8.Harris Jebaraj

9.Earnest Prathab Singh



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10.Bagath Singh
11.Jebas Halwin
12.Sarvanan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the third respondent in T.R.2019/0103/28/142652TR dated 08.02.2019 and quash the same.

For Petitioner : Mr.R.Balakrishnan
For Respondents 1 to 3 : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner challenges the order of the third respondent mutating patta in the names of the private respondents, without any notice to the writ petitioner.

2.I have heard the learned Counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents 1 to 3.

3.No doubt, as rightly contended by the learned Counsel for the petitioner, the mutation has been given effect to without any notice to the petitioner in whose name admittedly, patta was



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standing at the relevant point of time. However, at the same time, as rightly pointed out by Mr.B.Saravanan, learned Additional Government Pleader, the petitioner has already preferred an appeal before the first respondent on 16.12.2024 and the first respondent has also forwarded the same to the second respondent.

4. Therefore, pending the appeal, this Court would be hesitant to issue directions under Article 226 of the Constitution of India, especially when the petitioner has availed of the effective statutory remedy available under the Patta Pass Book Act. However, the grievance of the petitioner is that, despite the appeal being preferred before the first respondent on 16.12.2024, no further proceedings have been taken by the second respondent in furtherance of the appeal being forwarded by the first respondent to the second respondent.

5. In view of the above, the Writ Petition is disposed of, with the following direction:

"The second respondent is directed to hear the appeal of the petitioner on merits and in accordance with law, after giving an opportunity of hearing to the petitioner as well as the private respondents and pass orders on merits and in



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accordance with law. The said exercise shall be completed within a period of twelve [12] weeks from the date of receipt of a copy of this order. Till such time final decision is taken by the second respondent, no further mutation shall be taken by the revenue authorities."

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

22.04.2025

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



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P.B.BALAJI., J.

MR

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