



W.P.(MD)No.12060 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2025

CORAM

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

W.P.(MD)No.12060 of 2025

and

W.M.P.(MD)Nos.8884 & 8885 of 2025

1. Murugan
2. Rajan
3. Muruganantha Selvi
4. Lakshmi
5. Esakkiappan : Petitioners

Vs.

1.The Tahsildar,
Radhapuram Taluk,
Tirunelveli.

2. Samy
3.Esakkiappan : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in 2025/29/09/000671SD dated 07.03.2025 of 1st respondent and quash the same and



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consequently direct the 1st respondent to restore the earlier patta No.3342 stood in the name of the petitioners.

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For Petitioners : Mr.H.Arumugam

For Respondent No.1 : Mr.B.Saravanan

Additional Government Pleader

ORDER

The petitioners challenge the order of the first respondent dated 07.03.2025, mutating the name of the respondents 2 and 3 in the patta after removing the petitioners' names.

2.The grievance of the petitioners is that the impugned order came to be passed without even any notice to the petitioners and hence, the petitioners have challenged the said order on the ground of violation of principles of natural justice and also for not following the procedure contemplated under Section 10 of the Tamil Nadu Patta Pass Book Act, 1983 and Rules 3 and 4 of the Tamil Nadu Patta Pass Book Rules, 1987.

3.I have heard the learned Counsel for the petitioner and learned Additional Government Pleader for the first respondent and also gone through the order impugned in the Writ Petition.



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4.It is clear from the said order that there is no speaking order passed by the first respondent and further, the said order has been passed without even hearing the petitioners.

5.In view of the above, the Writ Petition is allowed and the impugned order is set aside and the matter is remitted to the first respondent to consider the application of the respondents 2 and 3 after hearing the respondents as well as the petitioners and thereafter, the first respondent shall pass final orders on merits and in accordance with law, within a period of twelve [12] weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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To
The Tahsildar,
Radhapuram Taluk,
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P.B.BALAJI., J.

MR

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