



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.09.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.6210 of 2019
and
W.M.P(MD)No.4959 of 2019

S.Ganesan

...Petitioner

Vs

1. The District Revenue Officer,
O/o. the District Revenue Officer, Tirunelveli.
2. The Revenue Divisional Officer,
Tirunelveli, Tirunelveli District
3. The Tahsildar,
O/o. the Tahsildar, Thiruvengadam,
Tirunelveli District.
4. M.Jeyarani @ Ganapathimuthu Senthatti Veerammal Natchiyar,
5. Sankaranarayanan

*(R5 is impleaded vide court order dated 19.10.2024 in
WMP(MD)No.22553 of 2019 in W.P(MD)No.6210 of 2019)*

...Respondents

PRAYER: Writ Petition is 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 Pa.Mu.Ka2/ U.D.R 11/2018 (46145/2017) dated 30.10.2018 and quash the same and consequently directing the respondents 1 to 3 to continue to maintain the patta and other Revenue Records in the name of Mrs.Guruvammal, W/o.Subbaiah Padaiyachi, in respect of the Punja land in Survey No.57/6, situated in Alagapuri Village,



Thiruvengadam Taluk, Tirunelveli District.

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For Petitioner : Mr.D.Shanmugaraja Sethupathi
For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R1 to R3
Mr.F.X.Eugene for R5
R4-expired

ORDER

The Petitioner is the son of one Guruvammal. From the UDR period, the petitioner asserts that the patta in respect of S.No.57/6 stood in the name of the petitioner's mother. Since the District Revenue Officer directed cancellation of such patta and issuance of patta in the names of the 4th respondent, the present writ petition has been filed.

2.Learned counsel for the petitioner invited my attention to the report of the Revenue Divisional Officer. Thereafter, by referring to the impugned order of the District Revenue Officer, learned counsel submits that the District Revenue Officer failed to apply his mind independently and instead issued the order entirely on the basis of the recommendation of the Revenue Divisional Officer. As a quasi judicial authority, learned counsel contends that it was incumbent upon the District Revenue Officer to provide a reasonable opportunity to the parties and, thereafter, issue a speaking order. In view



thereof, he contends that the impugned order is liable to be set aside and the matter remanded for fresh consideration.

3.Learned Special Government Pleader submits that an inquiry was conducted both by the Tahsildar and the Revenue Divisional Officer. By inviting my attention to the reports of the Tahsildar and Revenue Divisional Officer, he points out that the contentions and the documents submitted by the rival claimants were examined.

4.Learned counsel for the 5th respondent submits that the said respondent had placed all material documents to establish the rights in respect of the land in S.No.57/6. He also points out that the revenue records were mutated in favour of the 4th respondent's husband pursuant to the impugned order herein.

5.On examining the impugned order, it is noticeable that the statement of the Tahsildar and the recommendation of the Revenue Divisional Officer have been extracted therein. It is also evident that the order proceeds on the basis of the recommendation of the Revenue Divisional Officer without conducting an independent inquiry. The authority to adjudicate an alleged UDR error has been vested with the District Revenue Officer by a circular. It is needless to say, such



adjudication should be done pursuant to an inquiry upon independent application of mind. Since such enquiry has not been conducted before issuing the impugned order, the said order is set aside. Until the matter is readjudicated by the District Revenue Officer, the Tahsildar is restrained from carrying out any further mutation of the revenue records relating to S.No.57/6. After providing a reasonable opportunity to the petitioner and the 5th respondent herein, a speaking order shall be issued within three months from the date of receipt of a copy of this order. This writ petition is disposed of on these terms. No costs. Consequently, connected writ miscellaneous petition is also closed.

23.09.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

1. The District Revenue Officer,
O/o. the District Revenue Officer, Tirunelveli.
2. The Revenue Divisional Officer,
Tirunelveli, Tirunelveli District
3. The Tahsildar,
O/o. the Tahsildar, Thiruvengadam,
Tirunelveli District.



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SENTHILKUMAR RAMAMOORTHY, J.

RJR

W.P.(MD)No.6210 of 2019

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