



W.P.(MD)No.12720 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.12720 of 2025
and
W.M.P.(MD)No.9191 of 2025

Mahalingam

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Ilayangudi Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pursuant to order passed by the third respondent in his proceedings in Na.Ka.A11/382/2025 dated 06.02.2025 and quash the same and consequently directing the second respondent to conduct enquiry and cancel the assignment in respect of survey No.793/11 and 70 granted to petitioner's wife Rajammal and petitioner's son Thirukumaran and restore the assignment order dated 24.03.1967 in Na.Ka.No. 465/1967 granted by the Special Tahsildar Adi Dravidar Welfare Department, Sivagangai in respect of the above said survey No.793/11 and its corresponding



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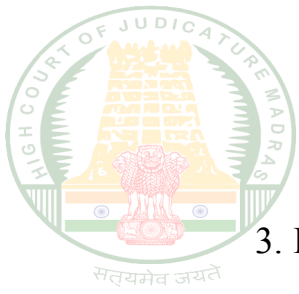
old survey no.269/6 for extent of 5 cents of Salaigramam Village, Ilayangudi Taluk, Sivagangai District and issue patta in petitioner's name by considering the representation dated 29.07.2024.

For Petitioner : Mr.R.Paranjothi
For M/s.KBS Law Office
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

2. The petitioner has made an application for cancellation of the assignment issued in favour of the petitioner's wife consequent to her demise and has sought for issuance of patta in his name. The application of the petitioner has been unilaterally taken up by the 3rd respondent, based on the report of the Village Administrative Officer. Strangely the report is dated 14.02.2025, but the impugned order has been passed on 05.02.2025. It clearly shows the slackness in which the authorities are functioning. No notice has been issued to the petitioner who originally sought for cancellation of patta in his wife's name and consequently, issuance of patta in his name. Therefore, everything appears to be wrong in the present case.



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3. In the light of the above, I am inclined to set aside the impugned order, dated 05.02.2025. Accordingly, the same is set aside and the matter is remitted to the 3rd respondent for giving fair opportunity to the petitioner and thereafter, decide the petitioner's application, on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of copy of this order.

4. With the above directions, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

29.04.2025

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

To:

- 1.The District Collector,
Office of the District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 3.The Tahsildar,
Ilayangudi Taluk,
Sivagangai District.

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P.B.BALAJI, J.

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