



W.P.(MD) No.15034 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD) No.15034 of 2025

and W.M.P.(MD) Nos.11274 to 11276 of 2025

Nanammal

... Petitioner

Vs

1. The District Collector,
Madurai District,
Madurai.

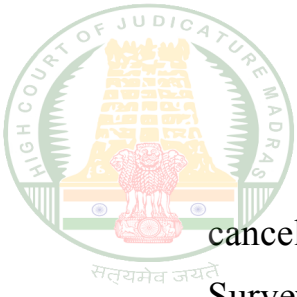
2. The District Revenue Officer,
Madurai District,
Madurai.

3. The Tahsildar,
Kallikkudi Taluk,
Madurai District.

4. Nagappan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice issued by the 3rd respondent in Na.Ka.No. 1A1/4124/A1 dated 01.04.2025 and quash the same on the ground that the same is arbitrary, illegal and without jurisdiction and consequently directing the respondent Nos.1 to 3 to drop all further proceedings pertaining to eviction of the petitioner by way of



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cancellation of the Patta from the petitioner's property comprised in Survey No. 84/16 to an extent of 0.01.28 Hectares comprised in Swamimallampatti Village, Sevarakkottai, Kallikkudi Taluk, Madurai District.

For Petitioner : Mr.R.Aravindan
For Respondents : Mr.A.Baskaran,
Addl. Govt. Pleader for R1 to R3

ORDER

This Writ Petition has been filed challenging the notice issued by the third respondent, calling the petitioner for enquiry in an application filed by one Nagappan, seeking cancellation of free house site patta issued in favour of the petitioner.

2. Heard the arguments of Mr.R.Aravindan, learned counsel for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader, who takes notice for the respondents 1 to 3. In view of the order proposed to be passed in this Writ Petition, which would not cause any prejudice to the fourth respondent, notice to him is dispensed with. By consent of both parties, this Writ Petition is taken up for final disposal at



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the admission stage itself.

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3. A reading of the impugned notice issued by the third respondent would indicate that the free house site patta issued in favour of the petitioner was ought to be cancelled on the ground that the petitioner's husband Parasuraman was a retired Government servant.

4. The learned counsel appearing for the petitioner would submit that the petitioner has been in possession and enjoyment of the Natham property for quite long time and in recognition of the long possession, patta was granted to the petitioner. Therefore, the notice issued by the third respondent, on an application filed by one Nagappan, challenging the grant of patta in favour of the petitioner, is untenable in law.

5. A perusal of the typed set of papers would indicate that a free house site patta was issued to the petitioner on 14.12.2015 by the Tahsildar, Thirumangalam under Standing Order 21. Subsequently, Anumantha patta was issued in favour of the petitioner on 29.11.2016. Therefore, from the documents filed in the typed set of papers, the



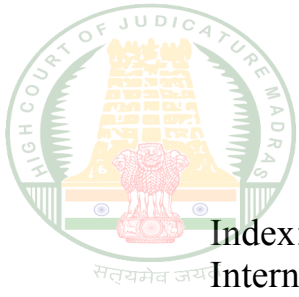
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possession of the petitioner is traceable to the assignment patta issued by the Government. In the circumstances, the argument made by the learned counsel for the petitioner is not appealable to this Court. Therefore, the petitioner has not made out any ground to quash the notice issued by the third respondent.

6. Accordingly, this Writ Petition stands dismissed. However, it is always open to the petitioner to appear before the third respondent and produce necessary documents to establish her case that she was in possession of the property even prior to the issuance of assignment patta and hence, she is entitled to right over the subject property de hors the assignment patta issued by the Government. The third respondent shall consider the case and pass orders on its own merits without being influenced by observations made in this order.

7. With this clarification, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

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S.SOUNTHAR, J.

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