



W.P.(MD) No.13788 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.13788 of 2025

and

W.M.P(MD) No.9950 of 2025

Andrew Jeffrey Raja

... Petitioner

Vs.

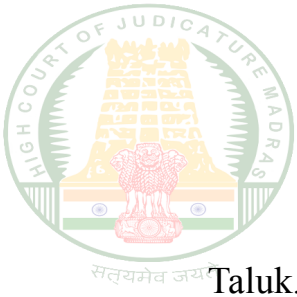
1.The Commissioner of Land Reforms,
Chepaulk, Chennai.

2.The Revenue Divisional Officer/Authorized Officer-Land Reforms,
Melur Division,
Madurai District.

3.The Tahsildar,
Madurai East Taluk,
Madurai.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order bearing File No. 2025/0103/24/373934, dated 10.02.2025 issued by the third respondent and quash the same as illegal and contrary to law and consequently directing the third respondent to issue patta to the petitioner for his Plot No.7, in Survey No.27/1D1H, Ilanthaikulam Village, Madurai East



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Taluk, based on his representation dated 04.03.2025.

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For Petitioner : Mr.P.Muthuvijayapandian
For R1 to R3 : Mrs.K.Malathi
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the third respondent rejecting the application submitted by the petitioner seeking issue of patta in respect of the property situated in Survey No. 27/1D1H, Ilanthaikulam Village, Madurai East Taluk.

2.Heard the arguments of Mr.P.Muthuvijayapandian, learned counsel appearing for the petitioner and Mrs.K.Malathi, learned Additional Government Pleader appearing for the respondents. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner submits that the impugned order is a non-speaking order without any reasons. Therefore, the same is liable to be set aside.



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4.The learned Additional Government Pleader appearing for the respondents, on written instructions from second respondent in Na.Ka.No.3356/2025/Aa3, dated 04.06.2025, submits that based on the application submitted by the petitioner seeking transfer of patta, an enquiry notice was sent to the petitioner on 20.05.2025, fixing the date of enquiry on 03.06.2025. It is further stated by the learned Additional Government Pleader that the petitioner also participated in the enquiry and certain directions were issued to the petitioner for further enquiry. Therefore, it is clear enquiry is still pending on the file of the second respondent.

5.When the enquiry on the application submitted by the petitioner seeking transfer of patta is pending on the file of the second respondent, the third respondent ought not to have passed the impugned order rejecting the said application. In these circumstances, the impugned order is liable to be set aside. Further the impugned order reads as follows:-

“So many surplus land cases pending in high & munsiff”



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6.In the impugned order, no proper reason has been given for rejecting the petitioner's request for transfer of patta. The reason for rejection mentioned in the impugned order does not convey any meaning. Now, the learned Additional Government Pleader has taken a stand, pursuant to the patta transfer application submitted by the petitioner, a notice was sent to him on 20.05.2025, fixing the date of hearing as 03.06.2025 and an enquiry was also conducted on 03.06.2025.

7.In these circumstances, the impugned order passed by the third respondent in File No.2025/0103/24/373934, dated 10.02.2025, is set aside and the second respondent is directed to complete the enquiry and pass final orders on its own merits, within a period of eight weeks from the date receipt of a copy of this order. Accordingly, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

04.06.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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S.SOUNTHAR,J

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