



W.P.(MD)No.16647 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.16647 of 2024

and

W.M.P.(MD)Nos.14418 & 14419 of 2024

1. N.Mohanarengan
 2. N.Velayutham
 3. S.Kalavathi
- ... Petitioners

Vs.

1. The State of Tamil Nadu
The Secretary to the Government,
Revenue Disaster Management Department,
Fort St. George, Chennai.
2. The Commissioner of Land Administration,
Kuralagam, Chennai.
3. The District Collector
Collector Office Complex,
Madurai.
4. The District Revenue Officer
Office of District Revenue Officer,
Madurai.



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5. The Tahsildar

Madurai East Taluk,
Madurai.

6. The Sub Registrar

Karuppayurani Sub Registrar Officer,
Karuppayoorani, Madurai.

7. P.Nagasamy

8. P.Sivathapandian

9. Radha

10. Lalitha

11. Nagasuganthara

12. N.Raja

13. N.Suresh

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call of the impugned Patta issued on 01.07.2024 in Patta No.3976 in the name of respondents 7 to 11 and consequently direct the 5th respondent to restore the patta issued in the name of the petitioner in patta No.3833 dated 14.03.2024 as per the direction of the 4th respondent in Ni.Mu.No.11671/2022/G, dated 30.06.2023 in respect of the petitioners' property in Madurai East Taluk, Vandiyur 2 Bit Village, in S.No.87/5 an extent of 29 cents in Accordance with law.



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For Petitioners : Mr.N.S.Karthikeyan

For Respondents : Mrs.S.Jeyapriya,
Government Advocate
for R1 to R6

: Mr.R.Karunanidhi for R7-9 & 11

: Mr.K.Dinesh for R12 & 13

: R10 - Unserved

ORDER

The petitioners have challenged the order of the fourth respondent, mutating patta in the name of the respondents 7 to 11.

2. I have heard Mr.N.S.Karthikeyan, the learned counsel appearing for the petitioners, Mrs.S.Jeyapriya, Government Advocate appearing for the respondents 1 to 6, Mr.R.Karunanidhi, learned counsel appearing for the respondents 7 to 9 and 11 and Mr.K.Dinesh, learned counsel appearing for the respondents 12 and 13.

3. The grievance of the petitioners is that subsequent to the order of the District Revenue Officer, the revenue records were mutated in the



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names of T.Pandian, Nagappan and thereafter, considering the documents in favour of the writ petitioners, patta was mutated on 14.03.2024 in the name of the petitioners for claiming under the said Nagappan. However, without notice to the writ petitioners, within a span of three months, patta has been restored in the name of Nagappan and T.Pandian and thereafter mutated in the name of the respondents 7 to 11.

4. The learned counsel for the respondents 7 to 11 would submit that the District Revenue Officer directed mutation of records only in the name of T.Pandiyan and Nagappan. However, the petitioners have managed to mutate their names and therefore, the respondents had given a complaint, based on which, the said patta was cancelled and patta in the name of Nagappan and T.Pandiyan was restored and subsequently, fresh patta had been mutated in the name of respondents 7 to 11, the legal heirs of T.Pandiyan. Unfortunately, the order cancelling the patta in favour of the petitioners and ordering for restoration of patta in the name of Nagappan and T.Pandiyan in terms of directions of the District Revenue Officer and subsequently, mutation being effected in the names of the respondents 7 to 11, was without any notice to the writ petitioners. The



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writ petitioners also made application under the Right to Information Act and have filed an additional typed set of papers to evidence the fact that the mutation in June 2024 was without any notice to the writ petitioners. I have also gone through the additional typed of papers, which is the information provided by the authorities under the Right to Information Act. It is clear from the answers given for the queries by the petitioners under the Right to Information Act that if the petitioners were not put on notice about the mutation of revenue records, removing the names of the writ petitioners and the restoration of patta in the names of Nagappan and T.Pandiyan and thereafter in the names of the private respondents. On this limited ground, the impugned order is violative of the principles of natural justice.

5. Hence, the impugned order is hereby set aside. The matter is remitted to the District Revenue Officer, viz., fourth respondent. The fourth respondent is directed to conduct enquiry after affording an opportunity to the petitioner as well as the respondents 7 to 11 and after hearing the claims / objections of the parties, the fourth respondent shall pass a considered order on merits, and in accordance with law. In the



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meantime, the the patta shall be mutated in the name joint names of T.Pandiyan and Nagappan as directed by the District Revenue Officer, till such time a final decision is taken by the fourth respondent. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
NCC : Yes / No
LS

04.04.2025

To

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Chennai.
2. The Commissioner of Land Administration,
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P.B. BALAJI, J.

LS

Order made in
W.P.(MD)No.16647 of 2024

Dated:
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