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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.18099 of 2022

and

W.M.P(MD)Nos.13195, 13197 of 2022 and 14379 of 2023

P.Chinnaponnu

... Petitioner

Vs

1. The District Revenue Officer,
Madurai District, Madurai.

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

3. The Tahsildar,
Vadipatti Taluk, Madurai District.

4. Meenakshi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for records relating to the impugned order made by the 2nd respondent in his proceedings in Ne.Mu. No. 7268/2021/B, dated 18.07.2022 and quash the same as illegal.

For Petitioner : Mr.N.Marimuthu

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R1 to R3
No appearance for R4



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ORDER

An order dated 18.07.2022 of the Revenue Divisional Officer is challenged primarily on the ground on lack of jurisdiction.

2. Learned counsel for the petitioner submits that the patta in respect of land in S.No.254/5 was issued in the name of the petitioner by the Tashildar. Upon challenge by the 4th respondent herein, the Revenue Divisional Officer rejected the challenge by order dated 30.01.2006. The 4th respondent filed a revision petition before the District Revenue Officer. By an order dated 13.09.2010, such revision petition was rejected. Subsequently, in view of the patta being erroneously mutated in the names of the erstwhile pattadhar, the petitioner had approached the Revenue Divisional Officer by way of appeal under the Tamil Nadu Patta Passbook Act. The said appeal was allowed by order dated 15.09.2015. Learned counsel submits that the impugned order was issued by the Revenue Divisional Officer inspite of the fact that the earlier order dated 15.09.2015 had not been challenged by way of revision before the District Revenue Officer or otherwise. He relies upon the response received under the Right to Information Act in support of his contention.



3. Learned Special Government Pleader appears on behalf of respondents 1 to 3. He submits that the impugned order was issued by relying on the judgment and decree in O.S.No.117 of 1972.

4. Notice was served on the 4th respondent both through Court and by private service. Thereafter, the Registry was directed by order dated 18.02.2025, to print the name of the 4th respondent in the cause list. In spite of doing so, the 4th respondent remains unrepresented. Therefore, the matter is being proceeded with in the absence of the 4th respondent.

5. The documents on record include the order dated 30.01.2006 of the Tahsildar and subsequent order dated 13.09.2010 of the District Revenue Officer. By order dated 13.09.2010 of the District Revenue Officer, the revision petition of the 4th respondent was rejected and the grant of patta to the petitioner was confirmed. The agreed position is that this order of the District Revenue Officer was not challenged by the 4th respondent either by filing a civil suit or a writ petition.

6. Upon being aggrieved by the patta transfer order dated 05.09.2011, the petitioner had filed an appeal to the Revenue Divisional Officer. Such appeal



was disposed of by order dated 15.09.2015. The record reflects that the said order was also not challenged by the 4th respondent by filing a revision petition or otherwise. Consequently, the said order attained finality. In those circumstances, the exercise of jurisdiction by the Revenue Divisional Officer was clearly contrary to statute. The Patta Passbook Act does not confer the power of review on the Revenue Divisional Officer.

7. For reasons aforesaid, the impugned order cannot be sustained and is hereby set aside. The writ petition is consequently allowed without any order as to costs. Consequently, connected miscellaneous petitions are also closed.

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

18.11.2025

To

1. The District Revenue Officer,
Madurai District, Madurai.
2. The Revenue Divisional Officer,
Madurai District, Madurai.
3. The Tahsildar,
Vadipatti Taluk, Madurai District.



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SENTHILKUMAR RAMAMOORTHY, J.

RJR

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