



W.P.(MD)No.19108 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :26.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.19108 of 2025
and WMP (MD) No.14661 of 2025

R.Murugan

... Petitioner

Vs.

1. The Commissionerate of Land Reforms,
Chennai.

2. The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

3. The Revenue Divisional Officer,
Revenue Division Office,
Tirunelveli.

4. The Tahsildar,
Tahsildar Office,
Palayamkottai,
Tirunelveli District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the 3rd respondent herein in his proceedings in O.Mu.A1/5214/2024 dated 02.07.2025 and quash the same as illegal and further directing the 2 to 4 respondents herein to issue separate patta to the petitioner with respect to the land in S.No.328 to an extent of 2.67.00 Hectares and S.No.329 to an extent of 1.78.00 Hectares in Ariyakulam Village, Palayamkottai Taluk, Tirunelveli District.

For Petitioner : Mr.D.Nallathambi

For Respondents :Mr.K.R.Badurus Zaman
Government Advocate

ORDER

The Haqdaars of Seevalaperi Chatram Trust were holding about 241.78 acres in Ariyakulam Village. Proceedings were initiated under the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (the Land Reforms Act) and the surplus holding was identified. The matter was carried in appeal to the Supreme Court and by order dated 06.03.2003, the compromise entered into by and between the Haqdaars and the State of Tamil Nadu was recorded and the matter was disposed of in terms thereof. The said compromise involved the restoration of the surplus lands to the Haqdaars and the provision of land in exchange by



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the said Haqdaars to the Government. Pursuant thereto, a notification was published in the Tamil Nadu Government Gazette on 11.12.2019 identifying the lands that were allotted to the share of the respective branches of Haqdaars. The petitioner relies on the schedule thereto containing the description of lands allotted to the legal heirs of Ramalingam, namely, Deivanayagi Anni, Kalyani, Kumarasamy, Vasantha, Thirumalaiappan and velammal.

2. Learned counsel for the petitioner submits that the petitioner purchased the land from two of the said legal heirs, namely Vasantha and Velammal under sale deeds dated 13.07.2009 bearing Document Nos.643 and 644 of 2009. By referring to the impugned order, learned counsel submits that the said order has been issued by disregarding these developments as also the order dated 26.03.2025 in W.P.(MD) No.3244 of 2025. He points out that this Court had directed the revenue officials to issue patta to the petitioner subject to the outcome of the writ appeals filed by the assignees before the Division Bench of the Court. Learned counsel also submits that the petitioner's request was rejected on the basis that a joint patta had been issued to 38 persons under Patta No.782 and on the ground that a registered partition deed had not been produced.



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Learned counsel also relies on Patta No.719, which was issued to him earlier and is currently on hold. He points out that the recitals of the two sale deeds referred to an oral partition as between the legal heirs of Ramalingam. Without appreciating these aspects, he contends that the impugned order was issued and therefore, the said order is liable to be set aside.

3. Learned Government Advocate responded to these contentions by referring to written instructions received by him. He relies on paragraphs of such written instructions mentioning that gazette publication dated 11.12.2019 mentions the names of six legal heirs of Ramalingam, and submits that the petitioner has purchased the property from only two out of the six persons. In addition, he refers to the non-issuance of the final statement under Section 18 of the Land Reforms Act.

4. On comparing the impugned order with the written instructions of learned Government Advocate, it is evident that the impugned order does not contain the reason set out in the written instructions. The order of the Revenue Divisional Officer cannot be added to by way of



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instructions and equally nothing may be deleted therefrom. The order has to be self sustaining. On carefully examining the order, I find that there is a narration relating to the issuance of the gazette publication and to the purchases made by the petitioner. However, without taking note of the fact that the petitioner claims on the basis of an oral partition by and between the legal heirs of Ramalingam and not on the basis of an oral partition by and between all the branches of Haqdaars, the order has been issued. As indicated in the written instructions, considering the fact that the purchase was only from Vasantha and Velammal, notice should have been issued to the other four legal heirs of Ramalingam so as to ascertain whether there was an oral partition and, if so, whether such oral partition was acted upon. The implications of the allotment of specific parcels to the different branches of the Haqdaars has also not been duly taken into account.

5. For all these reasons, the matter warrants reconsideration. For that purpose, the impugned order is set aside and the matter is remanded to the Revenue Divisional Officer for reconsideration. After providing a reasonable opportunity to the petitioner, the objector and the other legal heirs of the late Ramalingam, a speaking order shall be issued within four



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months from the date of receipt of a copy of this order.

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6. This writ petition is disposed of on these terms. No costs.

Consequently, connected miscellaneous petition is closed.

26.11.2025

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
PKN

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SENTHILKUMAR RAMAMOORTHY, J.

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