



W.P.(MD) No.19566 of 2025

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

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DATED: 20.08.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD)No.19566 of 2025
and W.M.P.(MD)No.15028 of 2025

Ravi Kumar

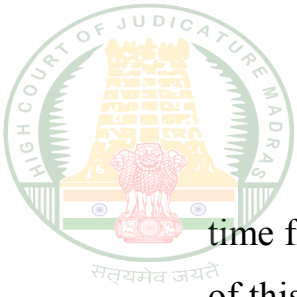
... Petitioner

Vs

1. The District Collector,
Pudukottai District.
2. The District Revenue Officer,
Pudukottai District.
3. The Revenue Divisional Officer,
Aranthangi,
Pudukottai District.
4. The Tahsildar,
Avudaiyar Kovil Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 4th respondent in Na.Ka.No.3034/2025/Aa1 dated 30.06.2025 and quash the same and consequently direct the respondent to mutate the patta in the petitioner name to the land in Survey No. 120/1 to the extent of 2.40 Acres situated at Alathur village, Avudaiyarkovil Taluk, Pudukkottai District within a



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time frame fixed by this Court in light of the order of the Division Bench of this Court in W.A.(MD)Nos.1201 and 1588 of 2019 dated 08.07.2022.

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For Petitioner : Mr.V.Manikandan
For Respondents : Mr.A.Baskaran,
Addl. Govt. Pleader

ORDER

Heard the arguments of Mr.V.Manikandan, learned counsel for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents.

2. This Writ Petition is filed challenging the order passed by the fourth respondent rejecting the request of the petitioner seeking transfer of patta in his name in respect of the property situated in S.No.120/1, in Alathur village, Avudaiyarkovil Taluk, Pudukkottai District. The said request of the petitioner was rejected on the ground that the assignment made in favour of petitioner's vendor Chinnavan was cancelled by the order passed by the Revenue Divisional Officer, Aranthangi and the subject lands were classified as “Tharisu”.



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3. The learned counsel appearing for the petitioner by drawing the attention of this Court to the judgment rendered by the Division Bench of this Court in W.A.(MD)Nos.1201 and 1588 of 2019, submitted that the Division Bench held that the order of cancellation passed by the Revenue Divisional Officer, Aranthangi dated 12.08.1987 was held to be bad in the said Writ Appeal and therefore, the 4th respondent was not justified in rejecting the request of the petitioner, by relying on the cancellation order passed by the Revenue Divisional Officer, Aranthangi.

4. In the above mentioned judgment, the Division Bench has categorically held that in cases where assignment is made prior to 14.05.1973, the same cannot be cancelled by the Officer, who assigned the land after the period of three years. The relevant observation of the Division Bench reads as follows:

“It is also to be noted that in respect of assignment made prior to 14.05.1973, it is only the commissioner of land administration / Government are competent to take action on any violation of conditions noticed. After 14.05.1973, the Revenue Divisional Officers are competent to cancel the assignment made by the Tahsildar within a period of 3 years and the Collector or the District Revenue Officers are



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empowered respectively can cancel or modify the order of assignment made by the Tahsildar and the Revenue Divisional Officer without any time limit. The Government Order in G.O.Ms.No.2555, Revenue, dated 14.05.1973 was held to be prospective by this Court and that no assignment prior to 1973 can be cancelled by the officer, who assigned the land, after the period of three years.”

5. In the case on hand, as seen from the cancellation order passed by the Revenue Divisional Officer, dated 12.08.1987, assignment patta was issued in favour of Chinnavan in respect of the subject property situated in S.No.120/1 with an extent of 2 acres 40 cents on 12.07.1969, prior to cutoff date fixed by G.O.Ms.No.2555, Revenue, dated 14.05.1973. Therefore, as per the order passed by the Division Bench, the order of cancellation passed by the Revenue Divisional Officer, Aranthangi, after several years, is not sustainable.

6. When the Division Bench of this Court in the above mentioned case held that the order passed by the Revenue Divisional Officer, Aranthangi dated 12.08.1987 was not valid, the 4th respondent is not entitled to rely on the said order and reject the request made by the petitioner for transfer of property. Therefore, the impugned order passed



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by the 4th respondent is set aside. The 4th respondent is directed to issue patta to the petitioner, if there is no other legal impediment, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. This Writ Petition is allowed accordingly, as stated above. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

20.08.2025

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Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

To

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Pudukottai District.
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S.SOUNTHAR, J.

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