



W.P.(MD)No.20348 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :25.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.20348 of 2025
and
WMP (MD) No.15738 of 2025

S.Ladasanniyasi

... Petitioner

Vs.

1. The District Collector,
Tenkasi District.

2. The Revenue Divisional Officer,
Tenkasi District.

3. The Tahsildar,
Shencottai Taluk,
Sencottai Tenkasi
District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records pertaining to the order passed by 2nd respondent in RDOTKS /1549/2023 - B 3, dated 19.07.2025 quash the same.

For Petitioner :Mr.T.S.Mohamed Mohideen

For Respondents :Mr.M.Muthumanikkam
Government Advocate



W.P.(MD)No.20348 of 2025

WEB COPY

ORDER

An order dated 19.07.2025 cancelling the 2C patta issued to the petitioner in respect of Survey No.150/3 is challenged primarily on the ground that a reasonable opportunity was not provided to the petitioner.

2. Learned counsel for the petitioner submits that proceedings were initiated against the petitioner on the ground that he had erected a fence in Survey No.148/2 in violation of the terms and conditions relating to the issuance of the 2C patta. However, without providing a reasonable opportunity the 2C patta issued for Survey No.150/3 was cancelled. He also submits that the fence erected in Survey No.148/2 has thereafter been removed by the revenue officials.

3. On the basis of written instructions, learned Government Advocate submits that the petitioner has altered the natural state of Survey No.150/3 after the cancellation of the 2C patta for Survey No. 148/2.



W.P.(MD)No.20348 of 2025

WEB COPY

4. The earlier order of this court in W.P.(MD) No.5104 of 2025 pertains to Survey No.148/2. Proceedings against the petitioner appear to have been initiated pursuant to the order issued on 26.02.2025 in the said writ petition. In the light of the categorical statement that neither a fence nor any other construction was put up by the petitioner in Survey No. 150/3, the matter requires reconsideration inasmuch as the petitioner has not been provided a reasonable opportunity to explain these aspects to the respondents. For such reason, the impugned order is liable to be set aside. Therefore, the impugned order is set aside and the matter is remanded to the Tahsildar for reconsideration. After providing a reasonable opportunity to the petitioner to show cause in respect of the 2C patta for Survey No.150/3, fresh order shall be issued within three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

25.10.2025

NCC :No
Internet :Yes
Index :No
PKN



W.P.(MD)No.20348 of 2025

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W.P.(MD)No.20348 of 2025

SENTHILKUMAR RAMAMOORTHY, J.

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