



W.P.(MD) No.21308 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.08.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD)No.21308 of 2025
and W.M.P.(MD)No.16465 of 2025

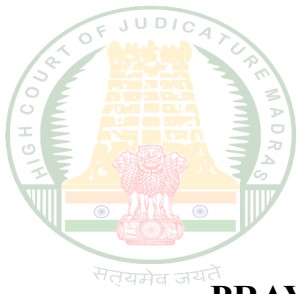
Alagusundaram

... Petitioner

Vs

1. The District Collector,
Madurai District,
Madurai.
2. The District Revenue Officer,
Madurai District,
Madurai.
3. Revenue Divisional Officer,
Madurai South Taluk,
Madurai.
4. Thasildar,
Madurai South Taluk,
Madurai.
5. The Deputy Thasildar,
Madurai South Taluk,
Madurai.
6. Minnalkodi
7. R.Rajamal
8. Chandrasekaran

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned letter issued by the 4th respondent in his proceedings in impugned letter file No.2022/0105/24/374272 dated 31.01.2023 and quash the same and consequently direct the 4th respondent to conduct enquiry and delete the 6th to 8th respondents name in the existing patta in respect of the property in Survey No.602/3E situated at Avaniyapuram village, Madurai.

For Petitioner : Mr.P.Venkatesan

For Respondents : Mr.D.S.Nedunchezian,
Govt. Advocate for R1 to R5

ORDER

This Writ Petition is filed challenging the order passed by the 4th respondent rejecting the application submitted by the petitioner seeking transfer of patta.

2. Heard the arguments of Mr.P.Venkatesan, learned counsel for the petitioner and Mr.D.S.Nedunchezian, learned Government Advocate, who takes notice for the respondents 1 to 5. Since no adverse order is going to be passed against the respondents 6 to 8, notice to them is



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dispensed with.

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3. The impugned order was challenged by the petitioner mainly on the ground that before passing the impugned order, the petitioner was not given any opportunity to produce the documents in support of his claim by issuing notice.

4. The learned Government Advocate appearing for the respondents 1 to 5 would submit, on instructions, that the impugned order was passed without hearing the petitioner. Therefore, it is clear that the impugned order was passed violating the principles of natural justice.

5. Further, in the impugned order, it is stated by the fourth respondent that the petitioner failed to file link documents and hence, his application was rejected. If the petitioner failed to submit supporting documents, the fourth respondent should have issued notice to the petitioner, calling upon him to submit supporting documents. Without following the said procedure, the impugned order was passed without giving adequate opportunity to the petitioner. The acknowledgment



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issued to the petitioner on submission of online application would reveal that the petitioner has filed supporting documents. However, the same have not been considered. Hence, the impugned order is set aside and the matter is remitted back to the file of the fourth respondent with a direction to reconsider the online application submitted by the petitioner dated 24.02.2022 and pass final orders on its own merits 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 petition is closed.

05.08.2025

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



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S.SOUNTHAR, J.

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