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W.P(MD)NO.21765 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH
COURT**

DATED:12.08.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.21765 of 2025

E.Rajkumar

... Petitioner

.Vs.

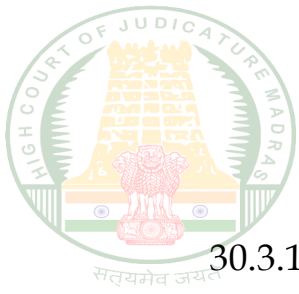
1.The District Collector,
Virudhunagar District.

2.The Revenue Divisional Officer,
Aruppukottai Revenue Division,
Virudhunagr District.

2.The Tahsildar,
Tiruchuli Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the order of the third respondent made in Na.Ka.No.A5/1458-35/2025, dated 17.6.2025 and quash the same as it is illegal and in consequence, direct the third respondent to issue patta for the land in the occupation having an extent of east west 30 Gajam, north south 50 Gajam of Natham land in Nallukurichi Village, Tiruchulli Taluk, Virudhunagar District as described in the Will, dated



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30.3.1984(presently in S.No.61/2) in the name of Petitioner.

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For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr,D.S.Nedunchezian
1 to 3 Govt. Advocate

ORDER

The Writ Petition is filed challenging the order passed by the third respondent rejecting the application of the Petitioner's father Elayaraja seeking transfer of patta in his name.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.According to the Petitioner, the subject property originally belong to the Petitioner's grand father's brother Ramaiah Pillai and he executed a Will, dated 15.05.1984 in favour of Petitioner's grand father Shanmugam Pillai and the Petitioner's father Elayaraja. After the death of Ramaiah Pillai, the Petitioner's grand father and father got the property under the Will and they enjoyed the same by mortgaging the subject land to one Gandhimathy under document, dated 30.3.1984. The Petitioner's grand father Shanmugam Pillai died on 12.08.1996 and the property was in exclusive possession of Petitioner's father.The



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Petitioner's father died on 5.1.2015 and thereafter, the Petitioner has been in possession and enjoyment of the subject property. The Petitioner submitted an application before the second respondent seeking mutation of revenue records in his name and the same was rejected by the impugned order. The property was classified as 'Anadheenam' in the revenue records.

4.The learned counsel for the Petitioner mainly contended that the impugned order was passed without hearing the Petitioner. Therefore the same is liable to be set aside.

5.Mr.D.S.Nedunchezian, learned Government Advocate appearing for the respondents 1 to 3 would fairly submit that the impugned order was passed without affording opportunity to the Petitioner.

6.In view of the fact that the impugned order has been passed without notice to the Petitioner, the same is set aside. The matter is remitted back to the file of the third respondent and the third respondent shall consider the application of the Petitioner, dated 28.5.2025 and pass final orders on its own merits after affording reasonable opportunity to the Petitioner, within a period of 12 weeks from the date of receipt of a copy of this order.



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WEB COPY 7.The Writ Petition is allowed with the above directions. No costs.

12.08.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

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S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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