



W.P.(MD)No.20927 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.20927 of 2023

C.Velusamy

... Petitioner

-VS-

1.The District Revenue Officer,
The District Collector Office,
Theni District.

2.The Tahsildar,
Aundipatti Taluk, Theni District.

... Respondents

(The second respondent is *suo motu* impleaded vide order of this Court, dated 03.03.2025)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to resume and complete the review application in Na.Ka.No. 35134/2013/T4, dated 29.08.2017 in pursuance of the petitioner's representation dated on 08.07.2023 subsequently issue patta to the original legal heirs in accordance with law.

For Petitioner :Mr.G.Prabhu

For Respondents :Mr.B.Saravanan

Additional Government Pleader



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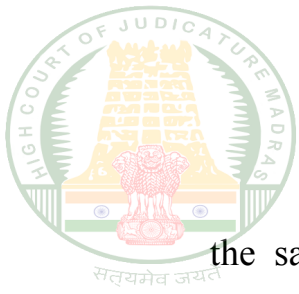
ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents to resume and complete the review application in Na.Ka.No. 35134/2013/T4, dated 29.08.2017, based on the petitioner's representation, dated 08.07.2023.

2.In view of the order proposed to be passed, the Tahsildar, Aundipatti Taluk, Theni District is *suo motu* impleaded as second respondent.

3.I have heard Mr.G.Prabhu, learned Counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader for the respondents.

4.The narrow compass on which the Writ Petition has been filed is that the first respondent, by proceedings in Na.Ka.No.35134/2013/T4, dated 29.08.2017, had passed an order remitting the matter to the second respondent to pass orders on the petitioner's application. The petitioner wants to review the said order of the first respondent, as in pursuant to



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the said order, the petitioner has come in possession of certain vital documents in support of his contentions.

5.The learned Additional Government Pleader referring to the impugned order would submit that no adverse finding has been rendered against the petitioner and the petitioner can always submit all relevant documents before the second respondent, who is now going to decide the matter pursuant to the order passed by first respondent, which is impugned in the present Writ Petition.

6.I find force in the submission of the learned Additional Government Pleader. Admittedly, in and by the impugned order, the matter had been remitted to the second respondent for consideration of the petitioner's representation and an opportunity has also been provided to the petitioner to submit all relevant documents and thereupon, the second respondent is required to conduct an enquiry and after considering the claims of the petitioner and other interested parties and also documents submitted by them, the second respondent is required to pass orders on the application for patta transfer.



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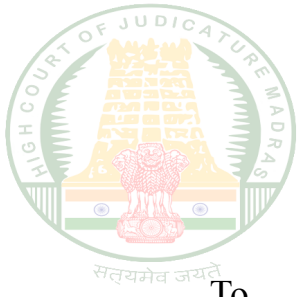
7.As rightly contended by Mr.B.Saravanan, learned Additional Government Pleader, there is no prejudice caused to the petitioner, if he is allowed to participate in the enquiry before the second respondent and submit all relevant documents in support of his contentions. The petitioner had already given a representation on 08.07.2023 to the respondents.

8.In view of the above, the Writ Petition is disposed of with a direction to the second respondent to give an opportunity, by way of personal hearing to the petitioner, to produce all relevant documents in support of the petitioner's claim for transfer of patta and shall consider the same and if necessary, after issuing notice and hearing the objections of other interest third parties, the second respondent shall pass orders on the petitioner's representation for mutation of patta in favour of the petitioner and his family members. The said exercise shall be completed by the second respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
cmr

03.03.2025

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P.B.BALAJI, J.
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