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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) Nos.22211 to 22215 of 2025

and

**W.M.P(MD)Nos.17299, 17300, 17301, 17302, 17321,17322, 17305,
17306, 17319 & 17320 of 2025**

Muthu	... Petitioner in W.P(MD)No.22211/2025
Subramani	.. Petitioner in W.P(MD)No.22212/2025
Rajangam	.. Petitioner in W.P(MD)No.22213/2025
J.Asha	.. Petitioner in W.P(MD)No.22214/2025
NagarajKasi	.. Petitioner in W.P(MD)No.22215/2025

Vs

1. The District Collector,
Madurai District.

2. The District Revenue Officer,
Madurai District.

3. The Sub Divisional Magistrate /
Revenue Divisional Officer,
Thirumangalam Division,
Madurai District.

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4. The Tahsildhar,
Thirumangalam Taluk,
Madurai District.

5. The Special Tahsildhar,
(Natham Settlement),
Thirumangalam Taluk,
Madurai District.

6. The Village Administrative Officer,
Kinnimangalam,
Thirumangalam Taluk,
Madurai District.

...Respondents in all cases

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari to call for the records of the order passed by the 3rd respondent made in Na.Ka.No.2374/2022/A3 dated 26.07.2023 and its consequential order in Na.Ka.No.100/2023/A3 dated 21.12.2023 by the 4th respondent quash the same as arbitrary and illegal.

In all cases:

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.A.Baskaran
Additional Government Pleader



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COMMON ORDER

Since the issue involved in these cases are one and the same, these writ petitions are disposed of by this common order.

2. These writ petitions are filed challenging the order passed by the third respondent cancelling the patta issued in favour of the petitioners in respect of the S.No.224/3, Kinnimangalam Village, Thirumangalam Taluk, Madurai District and the consequential order passed by the fourth respondent/Thasildar giving necessary direction for implementation of the order passed by the third respondent.

3. Heard the arguments of Mr.R.Suriya Narayanan, learned counsel appearing for the petitioners and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents.

4. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.



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5. According to the petitioners, the subject property is natham vacant site and they have been in possession and enjoyment of the same for several years. Based on the long possession of the petitioners, natham patta was issued in their favour by the fifth respondent, the Special Thasildar. The said patta which were issued in favour of the petitioners has been cancelled by the impugned order passed by the third respondent without issuing any notice to the petitioners. Aggrieved by the same, the petitioners have come before this Court.

6. The learned counsel appearing for the petitioners would submit that the impugned order was passed without affording opportunity to the petitioners. Therefore, the same is liable to be set aside on the principles of violation of natural justice. The learned counsel further submitted the patta issued to the petitioners is a natham patta, therefore, cancellation of the same would not arise on the ground of violation of condition as if it is a case of assignment patta.



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7. Mr.A.Baskaran, learned Additional Government Pleader, who takes notice for the respondents on instructions from the third respondent, would fairly submitted that before passing the impugned order, the petitioners are not afforded with any opportunity by issuance of notice.

8. In view of the said submission made by the learned Additional Government Pleader appearing for the respondents, this Court is inclined to set aside the impugned order and accordingly, the impugned order is set aside and the matter is remitted back to the file of the third respondent with a direction to issue proper notice to the petitioners and pass fresh orders on its own merits. It is open to the petitioners to raise all the points raised in these writ petitions before the third respondent including the question of jurisdiction.

9. Accordingly, all these writ petitions are allowed. Consequently, connected miscellaneous petitions are closed.

14.08.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
PJM



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S.SOUNTAR,J

PJL

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