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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.21989 of 2021

and

W.M.P(MD)No.18602 of 2021

Jeyakumar

...Petitioner

Vs

1. The District Collector,
Virudhunagar District, Virudhunagar.

2. The Revenue Divisional Officer,
Sathur, Virudhunagar District.

3. The Tahsildar,
Vembakottai Taluk, Virudhunagar District.

4.Venkatesan

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records relating to the order of the Respondent No.2 dated 27.10.2021 passed vide proceedings in Mu.Mu.A3/0418/2021 and quash the same.

For Petitioner : M/s.Y.Prakash

For Respondents : Mr.M.Muthumanikkam
Government Advocate for R1 to R3
Mrs.Lakshmi Gopinathan for R4



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ORDER

An order dated 27.10.2021 of the Revenue Divisional Officer is assailed primarily on the ground of breach of principles of natural justice.

2. Learned counsel for the petitioner invited my attention to settlement deed dated 02.07.2018 under which the property was settled by the petitioner's father Sangilikkalai in the name of the petitioner Jeyakumar. Learned counsel for the petitioner also invited my attention to the natham patta transfer order reflecting the name of the petitioner. She also points out that this fact was noticed in the impugned order.

3. In response, learned counsel for the 4th respondent submits that the petitioner's father was heard, as is evident from the impugned order. She also submits that both the petitioner and his father were appearing jointly before the Revenue Divisional Officer. By referring to the operative paragraph of the impugned order, learned counsel points out that the petitioner's father was unable to produce any registered documents in support of his entitlement. Therefore, she submits that remanding the matter on the ground of breach of principles of natural justice would be an empty formality.



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4. The impugned order was issued on 27.10.2021 and both learned Government Advocate and learned counsel for the 4th respondent confirm that the revenue records today stand in the name of the 4th respondent. Given the fact that the impugned order was issued after recording that the petitioner's father was unable to produce any registered documents in his favour, I am not inclined to interfere with the status of revenue records as on date. Nonetheless, the order impugned herein was issued on 27.10.2021 without hearing the petitioner, who was admittedly the pattadhar on the said date. The possibility of the petitioner producing additional documents to justify the grant of patta to him cannot be completely ruled out. Therefore, the matter requires reconsideration.

5. For such purpose, the order impugned herein is set aside subject to the above observation with regard to the maintenance of the status of revenue records as on date. Consequently, the matter is remanded for reconsideration by the Revenue Divisional Officer. After providing a reasonable opportunity to the petitioner and the 4th respondent, a fresh speaking order shall be issued within three months from the date of receipt of a copy of this order. No costs. Consequently, connected writ miscellaneous petition is also closed.

04.11.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

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Virudhunagar District, Virudhunagar.
2. The Revenue Divisional Officer,
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SENTHILKUMAR RAMAMOORTHY, J.

RJR

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