



W.P.(MD).No.22538 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P(MD)No.22538 of 2025

and

W.M.P(MD) Nos.17655 and 17657 of 2025

Kalaidasan @ Kalaidass

... Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Tahsildar,
Singampunari Taluk,
Sivagangai District.

3. Chinnaiya

... Respondents 1 to 3/
Respondents

4. The Zonal Deputy Tahsildar,
Singampunari Taluk,
Sivagangai District.

... 4th Respondent/
Proposed 4th Respondent

(R4 is impleaded vide order of this
Court dated 26.08.2025 in
W.M.P(MD) No.18295 of 2025 in
W.P(MD) No.22538 of 2025)



W.P.(MD).No.22538 of 2025

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 of the impugned communication of the second respondent dated 30.07.2025 through online rejected the claim of the petitioner seeking for separate patta in Application No.2025/N103/23/013692 and quash the same as illegal and consequently directing the second respondent to made Sub Division and issue separate patta in S.No.296/6 (Old S.No.296/1) for an extent of 3.04 cents in favour of the petitioner in the total extent of 4.57 cents S.V.Mangalam Village, Singampunari Taluk, Sivagangai District, on the basis of the Joint Patta No.961 and the release deed in Doc No.265/2024, Sub Registrar, Singampunari.

For Petitioner : Mr.V.Thirumal

For R1, R2 & R4 : Mr.D.S.Nedunchezian
Government Advocate

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent rejecting the application submitted by the petitioner seeking issuance of separate patta based on the document dated 07.02.2024 executed by his brother namely, Perumal.



W.P.(MD).No.22538 of 2025

WEB COPY

2. According to the petitioner, the impugned order was passed by the second respondent without affording an opportunity to the petitioner. Therefore, according to him, the same is violation of principles of natural justice.

3. The learned Government Advocate appearing for the respondents, on instructions, would fairly submits that the impugned order was passed without affording opportunity to the petitioner. However, he further submitted that the petitioner failed to produce the parent documents and therefore his request for issuance of separate patta was not considered.

4. This Court, in ***M.Rani Vs. District Collector and others*** reported in ***(2025) 1 MLJ 178*** has issued certain guidelines for considering the online application submitted by the petitioner seeking mutation of revenue records, which are as follows:

a) On a preliminary perusal of the documents submitted alongwith the application, if the authorities feel that further documents are required, then they can inform the applicant to produce the



WEB COPY



W.P.(MD).No.22538 of 2025

said documents: and not proceed to reject the application on the ground of want of documents.

b) If the authorities require any clarification, they can afford an opportunity to the applicant to clarify the doubt.

c) If the documents are in order, the request may be granted and such orders need not be a speaking one.

d) If the authority is convinced from the records that the request has to be rejected, then a speaking order citing the reasons shall be issued."

6. It is seen that despite the detailed guidelines issued by this Court, the authorities continue to follow the earlier practice of rejecting the request without even affording an opportunity to the petitioner concerned. Even in the present case, no opportunity has been given to petitioner and even guideline 'a' has been violated. Therefore, I have no hesitation in setting aside the impugned order. I am remitting the matter to the respondent for fresh consideration and after hearing the petitioner and giving him sufficient opportunity to furnish all documents, the respondent shall pass final



WEB COPY



W.P.(MD).No.22538 of 2025

orders, within a period of eight weeks from the date of receipt of a copy of this order.

*7. It is made clear that in future, whenever any online applications are made, the authorities are bound to strictly adhere to the guidelines that have been issued in **M.Rani's** case.*

8. The Registry shall mark a copy of this order to the District Collector of all Districts who in turn shall keep all the subordinate revenue officials informed about the guidelines prescribed while dealing with online applications and ensure strict compliance of the same in future.

5. Therefore, it is clear that whenever online application was received by the authorities the same shall not be rejected by the authorities on the ground that the documents enclosed/uploaded along with the online application are not sufficient. In that case notice shall be issued to the applicant seeking clarification and after affording opportunity to the applicant, decide the case on merits. Admittedly, no notice has been issued to the petitioner before rejecting his application. Therefore, the impugned order



W.P.(MD).No.22538 of 2025

WEB COPY

is vitiated by absence of notice and opportunity to the petitioner and hence principles of natural justice are violated. Hence, the same is set aside and the matter is remitted back to the file of the fourth respondent to consider the representation of the petitioner and pass final orders on its own merits in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity to the petitioner and other interested parties.

6. Accordingly, this Writ Petition stands allowed. There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

26.08.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi



W.P.(MD).No.22538 of 2025

WEB COPY

- To
1. The District Collector,
Sivagangai District, Sivagangai.
 2. The Tahsildar,
Singampunari Taluk,
Sivagangai District.
 3. The Zonal Deputy Tahsildar,
Singampunari Taluk,
Sivagangai District.



WEB COPY



W.P.(MD).No.22538 of 2025

S.SOUNTHAR, J.

ebsi

W.P(MD)No.22538 of 2025

26.08.2025