



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.25998 of 2025

and

W.M.P(MD)No.20319 of 2025

Immanuvel Muthaiah

...Petitioner

Vs

1. Revenue Divisional Officer,
Tenkasi,
Tenkasi District - 627 811.

2. Tahsildar,
Tenkasi District - 627 811.

3. Taluk Surveyor,
Tenkasi District - 627 811.

4. Municipal Commissioner,
Tenkasi Municipality,
Tenkasi District.

5. Town Surveyor, Tenkasi.

6. Sakul Hameed

7. Pakkir Maidheen

8. Maidheen Fathima

9. V.Masood

10. Hakkim Seit

...Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 1st respondent in Ni.Mu.A3-4492-2024 dated 13.02.2025 and quash the same as illegal and further to cancel the patta bearing town survey No.19/4 in Ward B, Block 37 bearing Sornapuram Street, Tenkasi, Tenkasi District issued to the 10th respondent and consequently direct the 1st respondent to issue patta to the petitioner to an extent of 2.5 cents bearing Survey Nos.1321/4 ad 1322/4 in Paaraiyadi 2nd Street, Tenkasi, Tenkasi District in accordance with law.

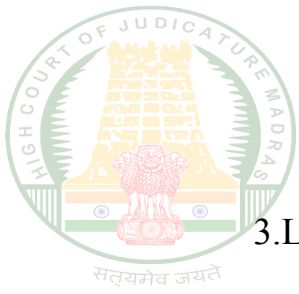
For Petitioner : Mr.R.Rajeshkumar

For Respondents : Mr.K.R.Badurus Zaman
Government Advocate
for R1 to R3 and R5

ORDER

The petitioner challenges the order dated 13.02.2025 of the Revenue Divisional Officer rejecting the petitioner's request on the ground that only 10 cents of land is available in the relevant survey number as against 12.5 cents shown in the petitioner's documents.

2.Learned counsel for the petitioner contends that a reasonable opportunity was not provided to the petitioner before the impugned order was issued. Therefore, he seeks remand of the proceedings to the Revenue Divisional Officer.



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3.Learned Government Advocate accepts notice on behalf of respondents 1 to 3 and 5. By referring to both the orders of the Revenue Divisional Officer and the earlier order of the Tahsildar, he points out that such orders were issued after closely examining the documents submitted by the petitioner and other parties and after providing them a reasonable opportunity. If aggrieved, learned counsel for the petitioner submits that the petitioner should approach the jurisdictional civil court.

4.On perusal of the impugned order, it is clear that such order has been issued after considering the documents produced by the petitioner. As recorded earlier, the said order records that there is a boosty paathai running through the land and that only 10 cents is actually available at site as opposed to the 12.5 cents mentioned in the petitioner's document.

5.In these circumstances, it cannot be said that a reasonable opportunity was not provided to the petitioner. The issues raised in this writ petition turn on questions of fact. The petitioner has an alternative remedy by way of revision before the District Revenue Officer. Therefore, this writ petition is disposed of by leaving it open to the petitioner to approach the District Revenue Officer. If the petitioner files such revision within 15 days from the date of receipt of a



copy of this order, the District Revenue Officer is directed to receive and dispose of the same on merits without going into the question of limitation. No costs. Consequently, connected writ miscellaneous petition is also closed.

22.09.2025

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



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SENTHILKUMAR RAMAMOORTHY, J.

RJR

To

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