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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.26865 of 2022

and

W.M.P(MD)Nos.21046 of 2022 and 4731 of 2023

M.Alamkhan

...Petitioner

Vs

1. The District Collector,
Sivagangai District, Sivagangai
2. The District Revenue Officer,
Sivagangai District, Sivagangai
- 3.The Revenue Divisional Officer,
Devakottai Division, Sivagangai District.
4. The Tahsildar,
Karaikudi Taluk, Sivagangai District
5. The District Registrar,
Karaikudi.
6. The Joint II Sub Registrar,
Karaikudi, Sivagangai District
- 7.S.Nathar Mohammed

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the 3rd respondent in pro., Moo.Mu.A1/7641/2019 dated 11.10.2019 and quash the same as illegal, arbitrary and passed by an incompetent authority and consequently direct the respondents to restore the



patta in the name of M.Shiek Mohammed (deceased) and further grant patta to the petitioner herein relating to an extent of land measuring 0.37.50 hectares comprising in S.No.197/3, covered under patta No.4601 of Mithrankudi village, Paanavayal Group villages, Karaikudi Taluk, Sivagangai.

For Petitioner : Mr.C.Narendren
For Respondents : Mr.K.R.Badurus Zaman
Government Advocate for R1 to R6
Mr.S.Abubackar sidhic for R7

ORDER

On an application made by the 7th respondent herein, an order dated 11.10.2019 was issued directing that the patta should be transferred in the name of P.Shiek Mohammed. The said order is impugned herein primarily on the ground that the order was issued without notice to the petitioner.

2. Learned counsel for the 7th respondent submits that the patta stood in the name of P.Shiek Mohammed and that such patta was transferred on the basis of an unregistered document in the name of M.Shiek Mohammed. Therefore, he also submits that there is no infirmity in the impugned order which restored the patta in the name of P.Shiek Mohammed. He also submits that a civil suit was filed by the petitioner in O.S.No.59 of 2019 on the file of the Sub Court, Devakottai and that the petitioner should prosecute such suit for the relief claimed.



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3. On perusal of the impugned order, it contains no indication at all that the petitioner or the pattadhar M.Shiek Mohammad were put on notice. Therefore, the impugned order cannot be sustained and is hereby set aside. Notwithstanding the setting aside of the order, it is made clear that the status of revenue records as on date shall not be altered pending disposal of the remanded proceedings. The matter is remanded to the Revenue Divisional Officer for reconsideration. After providing a reasonable opportunity to the petitioner, the 7th respondent and any other person concerned, 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 petitions are also closed.

30.10.2025

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



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SENTHILKUMAR RAMAMOORTHY, J.

RJR

W.P.(MD)No.26865 of 2022

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