



W.P.(MD)No.27864 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.27864 of 2024

and

W.M.P.(MD)No.23620 of 2024

P.Udhayakumar

... Petitioner

/Vs./

1.The District Collector,

Virudhunagar District,

Virudhunagar.

2.The Tashildar,

Sivakasi Taluk,

Virudhunagar District.

3.The Village Administrative Officer,

Anuppankulam Panchayath,

Meenampatti Village,

Sivakasi Taluk,

Virudhunagar District.

4.V.Durai Raj

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records challenging the impugned rejection order passed by the second respondent in application No.2024/0105/26/371660 dated 15.05.2024 and quash the same as illegal and consequently direct the second respondent to issue patta for the property in survey No.459-1A1A1, based on the petitioner's application dated 12.03.2024 in 2024/0105/26/371660 within the stipulated time.

For Petitioner : Mr.S.Ponsaravanan

For Respondents : Mrs.S.Jeyapriya
Government Advocate for R1-3

ORDER

The petitioner challenges the impugned order of rejection passed by the second respondent dated 15.05.2024 consequently to issue patta to the petitioner.

2. The case of the petitioner is that the impugned order came to be passed without hearing the petitioner and absolutely no reasons have been assigned for the rejection order.



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3. The learned Government Advocate, Mrs.S.Jeyapriya, on instructions, would submit that since the property is proposed to be acquired for Highways, the petitioner's application cannot be considered.

4. This cannot be a reason to keep the petitioner's application pending and rejecting, without assigning any valid reason. I find from the impugned order that the reason for rejection is merely stated as 'rejected' and it also discloses that the petitioner was not given an opportunity to put forth his contentions.

5. In view of the above, the impugned order is liable to be set aside. In fine, this Writ Petition is allowed and the impugned order passed by the second respondent is set aside. The matter is remitted to the second respondent for fresh consideration. The second respondent shall consider the petitioner's application for patta, based on his representation dated 12.03.2024, for insurance of patta, after giving opportunity by way of personal hearing to the petitioner and thereafter the second respondent shall pass orders on merits and in accordance with



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law within a period of eight weeks from the date of receipt of copy of this order. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
NCC : Yes / No
LS

24.02.2025

TO:-

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Virudhunagar District,
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P.B. BALAJI, J.

LS

Order made in
W.P.(MD)No.27864 of 2024

Dated:
24.02.2025