BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.28873 of 2024
and
W.M.P(MD)Nos.24457 of 2024 & 429 of 2025

1.Jeyakodi
2.Velmurugan
3.Shanmugavel
4.Gnanaprakasam ...Petitioners

Vs

1.The District Revenue Officer/Additional District Magistrate,
Madurai District.

2.The Tahsildar,
Peraiyur Taluk,
Madurai District.

3.The Revenue Divisional Officer,
Usilampatti, Madurai District.

4.Malarvizhi

5.Thoppanan ....Respondents

PRAYER: Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the 1st respondent in Ni.Mu.No. 137/2022/G5 dated 18.10.2024 and quash the same and consequently direct the respondents to restore the names of the petitioners as per patta Nos.1579 and 1753.

For Petitioners : Mr.N.Anantha Padmanaban
Senior counsel for
M/s.APN Law Associates

For Respondents : Mr.B.Saravanan
Additional Government Pleader
for R1 to R3
Mr.G.Thalaimutharasu
for R4 and R5

ORDER

An order dated 18.10.2024 of the District Revenue Officer allowing the petition filed by Oorkali, mother of the fourth respondent, is assailed in this writ petition.

2. Learned Senior Counsel for the petitioners invited my attention to the impugned order and pointed out that the said order refers to the registered sale deeds under which the properties in S.Nos.207/7 and 209/1 were purchased by Ramaswamy Nadar and Velusamy Nadar. He further contends that the discrepancy in extent occurred because the same properties were purchased by the father Ramasamy Nadar and son Velusamy Nadar. He points out that there is a link between the pattadhar, as per pre UDR "A" Register, and the vendors who sold the property to Ramasamy Nadar and Velusamy Nadar. Merely because there was a discrepancy in extents, even without providing an opportunity to the petitioners to participate in the inquiry, he submits that the impugned order was issued.

3. These contentions are refuted by learned counsel for the 4th and 5th respondents. Learned counsel submits that sufficient opportunity was provided to the petitioners and that the petitioners failed to submit a written statement in response to the petition. Instead, he submits that they submitted the sale deed copies, encumbrance certificate, death and legal heirship certificate and that these documents were taken into consideration by the District Revenue Officer before passing orders. He also points out that the District Revenue Officer noticed that the total extent available in S.No.207/7 is 80 cents, whereas 1.52 acres have been purchased by Ramaswamy Nadar and Velusamy Nadar. Likewise, he points out that 2.78 ½ acres are available in S.No.209/1, whereas patta has been issued for 3.64 acres. In these circumstances, learned counsel submits that the restoration of the patta to the pre UDR status does not call for interference.

4. On examining the impugned order closely, it is noticeable that it is recorded therein that the respondents therein, who are the petitioners herein, did not submit a written statement, but submitted documents for consideration. It is also noticeable that the sale deeds under which the petitioners assert title have been noticed in two tables at internal pages 6 and 7 of the impugned order. The particulars of document number, survey number, extent, vendors name,

purchasers name, etc. find place therein. The first document in the table relating to S.No.207/7 is document No.2595/1961 under which Suruli Vagaira transferred the property to Ramasamy Nadar. On comparison with the "A" Register during the pre UDR, the name of Suruli Kudumban finds place therein. Likewise, the second document (document No.4680 of 1961) in the table relating to S.No.207/7 was executed by Kuruvappan Vagaira in favour of Ramasamy Nadar. The name of Karuvappan finds place in the revenue records during the pre UDR. Therefore, prima facie, there is a link between the persons from whom the petitioners' ancestors purchased the property and the pre UDR pattadhars.

5. As contended by learned counsel for respondents 4 and 5, the District Revenue Officer noticed discrepancies in extents claimed by the petitioners in S.No.207/7 and 209/1 as compared to extents reflected in the revenue records and, possibly, at site. However, merely on such basis, it does not appear prima facie to be justified to shut out the petitioners entirely. Consequently, the matter requires reconsideration. In order to facilitate such reconsideration, it is necessary that the impugned order be interfered with.

6. For reasons set out above, the impugned order is set aside and the matter is remanded for reconsideration. It is, however, clarified that the status of

revenue records, if mutated in terms of the impugned order, shall not be disturbed pending such reconsideration. After providing a reasonable opportunity to the petitioners and respondents 4 and 5, a 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.

28.10.2025
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NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

SENTHILKUMAR RAMAMOORTHY, J.

RJR

To

1.The District Revenue Officer/Additional District Magistrate,
Madurai District.

2.The Tahsildar,
Peraiyur Taluk,
Madurai District.

3.The Revenue Divisional Officer,
Usilampatti, Madurai District.

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