

W.P(MD)NO.28283 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :11.09.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.28283 of 2023

and

W.M.P.(MD) Nos.24352 & 24353 of 2024

1. Chandra,

2. Bakkiyalakshmi.

... Petitioners

Vs

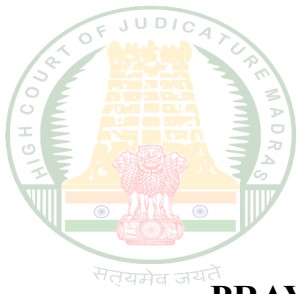
1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Sattur Division,
Virudhunagar District.

3. The Tahsildhar,
Virudhunagar Taluk,
Virudhunagar District.

4. Kaliappan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent in Moo.Mu.A3/785/23 dated 14.08.2023 and quash the same as illegal and consequently, direct the 1 to 3 respondents to restore the revenue entries in the name of the petitioner in respect of the land in Survey No.359/A, Amathur Village, Virudhunagar Taluk and District.

For Petitioners : Mr. K.Navaneetharaja

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1 to R3
No appearance for R4

ORDER

The petitioners assail an order dated 14.08.2023 of the Revenue Divisional Officer allowing the request made by the fourth respondent herein for cancellation of the patta issued to the petitioners. In spite of the service of notice, the fourth respondent has not entered appearance to contest this matter.

2. Learned counsel for the petitioner pointed out that a sale deed



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was executed in favour of the fourth respondent on 11.02.2008 and that such sale deed was cancelled at the instance of the petitioners' vendor by the District Registrar on 04.06.2013. Thereafter, it is stated that a sale deed was executed in favour of the petitioners on 08.02.2016 under document No.675/2016 and patta No.2423 was issued in favour of the petitioners. Based on the application made by the fourth respondent, learned counsel submits that the order impugned herein was issued on 14.08.2023. According to the learned counsel, an inquiry was conducted in the year 2020 and that a report of the Tahsildar dated 15.12.2020 forms a basis of the order. Consequently, learned counsel states that the subsequent developments, such as the execution of a sale deed by the fourth respondent in favour of the Libertas Properties Private Limited (Libertas Properties) and the subsequent execution of the release deed dated 23.11.2020 by Libertas Properties in favour of the petitioners under document No.4210/2020 were not taken into account.

3. The petitioners have filed the sale deed dated 14.10.2020. On perusal thereof, it appears that the fourth respondent conveyed the relevant property to Libertas Properties under the said document. The



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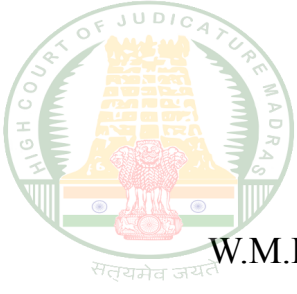
petitioners have also placed on record the release deed dated 23.11.2020.

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This is a registered document bearing document No.4210/2020. The document records that Libertas Properties is releasing its rights in the property in favour of Bakialakshmi and Chandra, who are the petitioners herein. These documents are undoubtedly material documents for proper adjudication of the request made earlier by the fourth respondent for grant of patta. *Prima facie*, it appears that the fourth respondent may not have any interest in the property any longer. Because these material documents were not taken into consideration in the impugned order, the matter warrants reconsideration.

4. For the reasons aforesaid, the impugned order is set aside and the matter is remanded to the second respondent for reconsideration. After providing a reasonable opportunity to the petitioners, Libertas Properties and any other persons with interest in the property, a fresh order shall be issued within a period of three (3) months from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of on these terms. No costs.



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W.M.P.(MD) No.24352 of 2023 is allowed. Consequently, connected miscellaneous petition is closed.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

11.09.2025

To

1. The District Collector,
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SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

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