BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.27110 of 2025
and
W.M.P(MD)Nos.21048 & 21049 of 2025

M/s.The Ramco Cements Ltd.,
A Company Incorporated under the
Companies Act Through its
Authorised Signatory, Manikandan having its
Registered Office at Ramamandiram,
Tenkasi Road, Rajapalaym, and
Corporate Office at 98-A, Radhakrishnan Road,
5th Floor, Mylapore, Chennai. ...Petitioner

Vs

1. The Revenue Divisional Officer,
The Revenue Divisional Office,
Ramanathapuram,
Ramanathapuram District.

2. The Thasildar,
Rameswaram,
Ramanathapuram District.

3. K.Kaleeswari,

4. K.Kumar

5. K.Chandrakumar

6. N.Rajalakshmi ...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order passed in proceedings No.Pa.Mu/9213/2023(A10) dated 13.08.2025 issued by the 1st respondent and quash the same

For Petitioner	:	M/s.A.Sivaji
For Respondents	:	Mr.B.Saravanan Additional Government Pleader for R1 and R2 Mr.S.Vellaichamy for R3 to R6

ORDER

An order dated 13.08.2025 of the Revenue Divisional Officer transferring the patta in the name of the petitioner to that of respondents 3 to 6 herein is assailed in this writ petition.

2. Learned counsel for the petitioner refers to order dated 07.04.2025 in W.A.(MD)No.937 of 2025 and points out that an interim stay of the order dated 21.01.2025 had been granted by the Division Bench. Merely on the ground that such order had not been extended, he submits that the order impugned herein was issued. By relying on the judgment of the *Hon'ble Supreme Court in High Court Bar Association, Allahabad vs. State of UP and others,* Crl.A.No.3589 of 2023 and the order dated 06.09.2011 of this Court in *V.K.Subramaniam and two*

others vs. the District Revenue Officer and others in W.P.No.39792 of 2005, he contends that the revenue authorities should not have proceeded with the matter once the Division Bench had formed a prima facie view and granted an interim order. He also submits that the written submissions of the petitioner dated 08.08.2025 were not taken into consideration and that the impugned order was issued only on the ground that the interim stay had not been extended.

3. Learned counsel for respondents 3 to 6 refutes the above contentions. He points out that the founder of the petitioner company had purchased an extent of 1.92 acres in S.No.471. Thereafter, he submits that a larger extent was conveyed by the said founder to the petitioner under the subsequent document executed in the year 1966. This document reflected an extent of 3 acres and 84 cents. Thereafter, he submits that patta No.797 was issued in respect of S.No. 471 for an extent of 2 hectares 33.50 acres, which is equivalent to about 5.77 acres. In these circumstances, learned counsel contends that the private respondents were entitled to seek a partition. He also points out that the founder of the petitioner company, who was the original purchaser, was arrayed as a defendant in the partition suit. After also pointing out that the petitioner was heard before the impugned order was issued, learned counsel contends that no case is made out for interference.

4. The petitioner had filed W.P.(MD)No.10069 of 2024 to restrain the Revenue Divisional Officer and Tahsildar from transferring the patta from the name of the petitioner to that of respondents 3 to 4 in the said writ petition. The writ petition was disposed of by holding that a mandamus cannot be issued as prayed for. Instead, the petitioner was permitted to submit objections to the first respondent and the first respondent was directed to consider and dispose of the same on merits. This order was carried in appeal before the Division Bench and an interim stay was granted on 07.04.2025 for a period of 8 weeks. The said 8 week would have expired on or about 07.06.2025. It is common ground between the parties that the interim stay was not extended. The order impugned herein was issued in these facts and circumstances.

5. On perusal of the impugned order, it is noticeable that the interim order in W.A(MD)No.937 of 2025 was brought to the notice of the Revenue Divisional Officer. After recording that the petitioner did not obtain an extension thereof in spite of being provided an opportunity, the impugned order was issued. This approach of the Revenue Divisional Officer cannot be countenanced. Once the Division Bench had concluded that a prima facie case had been made out and granted an interim stay on that basis, the revenue officials should have awaited the final order in the writ appeal. Solely on that ground, I am inclined to interfere with the order impugned herein. Therefore,

the impugned order is set aside and the matter is remanded to the Revenue Divisional Officer. The Revenue Divisional Officer shall await the outcome of W.A.(MD)No.937 of 2025 and proceed to hear the matter on merits, if permitted to do so by the Division Bench. This writ petition is disposed of on these terms without any order as to costs. Consequently, connected writ miscellaneous petitions are also closed.

03.11.2025

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

To

1. The Revenue Divisional Officer,
The Revenue Divisional Office,
Ramanathapuram,
Ramanathapuram District.

2. The Thasildar,
Rameswaram,
Ramanathapuram District.

SENTHILKUMAR RAMAMOORTHY, J.

RJR

W.P.(MD)No.27110 of 2025

03.11.2025