



W.P(MD)No. 30378 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED :28.10.2025**

**CORAM:**

**THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY**

**W.P(MD)No. 30378 of 2025**

**M.Mayaperumal**

**... Petitioner**

**Vs**

1. The Principal Secretary / Commissioner of Land Reforms,  
Ezhilagam,  
Chepauk,  
Chennai 600005.

2. The District Collector,  
Tuticorin,  
Tuticorin District-628101.

3. The Authorised Officer,  
Tamilnadu Land Reforms,  
Tuticorin District-628101.

4. The Revenue Divisional Officer,  
Kovilpatti Division,  
Tuticorin District 628 501.

5. The Tahsildar,  
Ottapidaram Taluk,  
Ottapidaram,  
Tuticorin District 628401.

6. The Sub-Registrar,  
Ottapidaram Sub-Registrar Office,

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Ottapidaram,  
Tuticorin District-628401.

7. M/s.Fossil Logistics Private Ltd.,  
5th Floor, Buhari Towers,  
Moores Road,  
Chennai 600006.

... Respondents

**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 of the impugned order passed by the second respondent herein in his proceedings in Na.Ka.M1/3531354/2025 dated 26.09.2025 as illegal and unsustainable in law and further, direct the fifth respondent to issue Patta in the name of the petitioner regarding the land comprised in Survey No.22/2 to an extent of 2 Acre situated at Jegaveera pandiyapuram Village, Ottapidaram Taluk, Tuticorin District and another one land comprised in Survey No.480/2 to an extent of 3 Acres 41 cents situated at Eppodumvendran Village, Ottapidaram Taluk, Tuticorin District.

For Petitioner : Mr. S.Sathyachidambaram

For Respondents : Mr.M.Muthumanikkam  
Government Advocate for R1 to R6

### **ORDER**

The petitioner purchased land in survey No.22/2 and 480/2 under sale deed dated 16.02.2023 bearing Doc.No.507/2023 from the seventh respondent. Upon the petitioner applying for patta transfer in respect thereof, the request was rejected by the impugned order dated



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26.09.2025.

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2. Learned counsel for the petitioner submits that the registration authorities should have been informed that these lands cannot be conveyed, whereas the same was not done. As a consequence, it is stated that the petitioner purchased these lands by paying a valuable consideration. On that basis, learned counsel contends that the impugned order cannot be sustained.

3. Learned Government Advocate accepts notice for respondents 1 to 6. By referring to the operative paragraph of the impugned order, he submits that the seventh respondent had submitted an application under Section 37A of the Tamil Nadu Land Reforms (Fixation of Ceiling) Act, 1961, and that such application is still pending. He also points out that the grant of patta transfer was directed not to be entertained on that ground.

4. Section 37A of the Tamil Nadu Land Reforms (Fixation of Ceiling) Act, 1961, is placed in Chapter 4A. The said chapter deals with permission to hold excess land by an industrial or commercial



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undertaking. Section 37A enables an industrial or commercial undertaking which desires to hold or acquire land in excess of the ceiling prescribed to apply to the Government for permission. Sub-section 3 specifies the criteria and such criteria include the examination of the nature of the industrial or commercial operation and whether the excess land is required for immediate use or future use. It is self-evident from this provision that such permission is granted after considering whether the industrial or commercial undertaking concerned requires such land for its business purposes.

5. It follows from the above conclusion that an industrial or commercial undertaking, which has applied for permission to hold or acquire lands in excess of the ceiling prescribed under the statute, cannot transfer such lands to an individual who is not engaged in such industrial or commercial activity.

6. It is no doubt true that the petitioner is put to a loss in the form of the consideration paid to the seventh respondent. The remedy for the petitioner lies by initiating appropriate action against the vendor to



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recover the consideration and return the land to the vendor.

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7. With these observations, this Writ Petition is disposed of by declining to interfere with the impugned order. No costs.

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

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**SENTHILKUMAR RAMAMOORTHY.,J.**

apd

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Tuticorin District 628401.

6. The Sub-Registrar,  
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**ORDER MADE IN**

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