



W.P(MD)No. 29612 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :22.10.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No. 29612 of 2025
and
W.M.P.(MD) No.22910 of 2025

C.Murugan

... Petitioner

Vs

1. Tahsildar,
Bodinayakanur Taluk,
Theni District.

2. The Revenue Divisional Officer,
Theni District.

... Respondents

*(R2 is suo motu impleaded vide order dated
22.10.2025 in W.P.(MD) No.29612 of 2025)*

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 respondent in his impugned order in Ni.Mu.No. 6857/2025/A4 dated 25.08.2025 and quash the same as illegal and arbitrary and consequently, direct the respondent to sub divide the land and issue separate patta in petitioner's name regarding the property in S.No. 290/1, Rasingapuram Village, Bodinayakanur Taluk, Theni District.

For Petitioner

: Mr. S. Manikandan



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For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

An order dated 25.08.2025 of the Tahsildar rejecting the petitioner's application for separate patta is challenged herein.

2. Learned counsel for the petitioner submits that the request for separate patta was rejected after acknowledging that the petitioner is in possession and enjoyment of 1 acre and 51½ cents in survey No.290/1. In spite of the petitioner pointing out that the property was inherited by the petitioner, he submits that the request for separate patta was rejected on the sole ground that the petitioner was unable to produce any registered conveyance relating to the acquisition of the property.

3. Learned Additional Government Pleader accepts notice for the sole respondent. He submits that the petitioner has an appellate remedy before the Revenue Divisional Officer.



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4. In view of the above submissions of learned Additional Government Pleader, the Revenue Divisional Officer, Theni, is *suo motu* impleaded as the second respondent in this Writ Petition. The order shall be issued after carrying out the correction in this Writ Petition.

5. On perusal of the impugned order, it is evident that the petitioner was heard and documents submitted by the petitioner were considered before issuing such order. In those circumstances, in view of the existence of a statutory remedy, I am not inclined to exercise discretionary jurisdiction.

Therefore, this Writ Petition is disposed of on the following terms:

- i. The petitioner is permitted to file an appeal before the Revenue Divisional Officer.
- ii. If such appeal is presented within fifteen (15) days from the date of receipt of a copy of this order, the Revenue Divisional Officer is directed to receive and dispose of the same on merits without going into the question of limitation. After providing a reasonable opportunity to the petitioner, a speaking order shall be issued within three (3) months from the date of receipt of such appeal.



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iii. No costs. Consequently, connected miscellaneous petition is closed.

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

22.10.2025

To

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Bodinayakanur Taluk,
Theni District.

2. The Revenue Divisional Officer,
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SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

W.P(MD)No. 29612 of 2025

22.10.2025