



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.29729 of 2025

and

W.M.P(MD)Nos.22995 & 22996 of 2025

N.Ilayaraja

...Petitioner

Vs

1. The Sub Collector/Revenue Divisional Officer,
Usilampatti -Sub Division, Peraiyur Taluk,
Madurai District.

2.C.Muthusamay

3.M.Subramanian

4.The Thasildhar,
O/o of the Taluk Thasildhar,
Peraiyur Taluk, Madurai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the impugned order passed by the 1st respondent in P.M.No. 5185/2025/A2 dated 08.10.2025 and quash the same as illegal and ultra vires and consequently direct the respondents 1 and 4 to grant patta in S.Nos.105, 106 and 107/3 to the petitioner at Melathirumanicakam Village, Peraiyur Taluk, Madurai District.



For Petitioner : Mr.S.M.Ramasiva
For Respondents : Mr.B.Saravanan
Additional Government Pleader
for R1 and R4

ORDER

The petitioner assails an order dated 08.10.2025 of the Revenue Divisional Officer rejecting the petitioner's appeal for cancellation of pattas issued to the 2nd and 3rd respondents herein.

2. Learned counsel for the petitioner contends that the inquiry was not properly conducted and that it was erroneously concluded that the survey number in respect of which the 2nd and 3rd respondents had obtained patta was a water catchment area and not a water body. He also points out that the adjacent survey numbers in respect of which the petitioner had obtained patta are also water catchment areas, but patta was refused.

3. Learned Additional Government Pleader accepts notice for the respondents 1 and 4. He points out that the petitioner has a statutory remedy by way of revision before the District Revenue Officer.



4. The issue raised by the petitioner is a factual issue, i.e. whether the relevant survey numbers should be classified as catchment areas or water bodies. This factual issue cannot be conveniently addressed in proceedings under Article 226 of the Constitution. The petitioner has an alternative statutory remedy. Therefore, I decline to exercise discretionary jurisdiction.

5. For reason set out above, this writ petition is disposed of by leaving it open to the petitioner to file a revision petition before the District Revenue Officer. If such revision petition is filed within 30 days from the date of receipt for copy of this order, the District Revenue Officer is directed to receive and dispose of the same on merits within a period of three months from the date of receipt thereof after providing a reasonable opportunity to the petitioner and the respondents 2 and 3 herein. No costs. Consequently, connected miscellaneous petitions are also closed.

24.10.2025

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



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SENTHILKUMAR RAMAMOORTHY, J.

RJR

To

1. The Sub Collector/Revenue Divisional Officer,
Usilampatti -Sub Division, Peraiyur Taluk,
Madurai District.

2.The Thasildhar,
O/o of the Taluk Thasildhar,
Peraiyur Taluk, Madurai District.

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