



W.P.(MD)No.32722 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :02.12.2025

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THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.32722 of 2025

and

WMP (MD) Nos.25813 and 25814 of 2025

P.Karuppasamy

... Petitioner(s)

Vs.

1. The District Collector,,
District Collector Office,
Madurai District.

2. The District Revenue Officer,
District Collector Office,
Madurai District.

3. The Revenue Divisional Officer,
Usilampatti, Madurai District.

4. The Tahsildar,
Usilampatti Taluk Office,
Madurai District.

5. Singaraj

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for records pertaining to pursuant to the the 3rd respondent in his proceedings in PA.MU.No.315/2022/A2 dated 25.03.2023 and the 2nd



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respondent in his proceedings in Oo.Mu.No.G2/3792798/2025 dated 22.10.2025 and quash the same and consequently direct the respondents 2 to 4 to issue patta in favour of petitioner and other legal heirs of Pitchairaj in SF.No. 163/8 having an extent of 0.83 Cents situated at Soolapuram, Village, Peraiyur Taluk, Madurai District based on the online application No. 2025/0103/24/429856 dated 29.10.2025.

For Petitioner :Mr. S.Sivaprakash

For Respondents :Mr.N.Ramesh Arumugam
Government Advocate for R1 to R4

ORDER

An order dated 22.10.2025 of the District Revenue Officer is assailed in this writ petition.

2. Learned counsel for the petitioner submits that his grandfather, Late Sangaralingadevar, originally purchased 83 cents in Survey No. 163/8 (old S.No.262/4), Patta No.1173, Kulappuram Village, under a registered sale deed dated 26.06.1961 and that the said property has remained in the uninterrupted possession and enjoyment of the family for over six decades, with revenue records continuously reflecting the original owner's name.



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3. Learned counsel further submits that the fifth respondent, without any title deed or supporting document, fraudulently secured mutation of patta in his favour and executed multiple mortgage deeds solely on the basis of the forged patta. Subsequently, acting on the petitioner's representation dated 19.01.2022, the third respondent conducted an inquiry in Pa.Mu.No.315/2022/A2 dated 25.03.2023 and found that the fifth respondent had produced no title documents and the mutation had been effected without any supporting records. Accordingly, the third cancelled the illegal patta. Following such cancellation, the petitioner preferred an appeal before the second respondent seeking patta in favour of himself and the other legal heirs of Late Pitchairaj. However, the second respondent, by order dated 22.10.2025, rejected the appeal solely on the ground of delay, without considering the petitioner's long-standing title and possession and enjoyment of the property, thereby violating the principles of natural justice. Challenging the same, the present writ petition has been filed by the petitioner.

4. Per contra, learned Government Advocate appearing for respondents 1 to 4 submits that the petitioner's appeal was filed after an



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inordinate delay of more than two years and that no satisfactory explanation was given by the petitioner.

5. On perusal of the impugned order, it is evident that it was issued solely on the ground of delay, without examining the petitioner's claim to title or the findings recorded by the third respondent regarding the illegality in the earlier patta transfer. When allegations of fraudulent mutation and competing title claims are involved, the authority is duty-bound to conduct a comprehensive inquiry on merits rather than dismissing the appeal on technical grounds. Since, the petitioner has not been afforded an effective opportunity of hearing to respond thereto, reconsideration is necessary.

6. Accordingly, the impugned order dated 22.10.2025 is set aside and the matter is remanded for fresh consideration by the second respondent. The second respondent shall conduct a detailed and independent inquiry into the petitioner's claim, including verification of the title documents, the findings recorded by the third respondent and any rival claims, after issuing notice to all necessary parties. A reasonable opportunity of personal hearing shall be afforded to the petitioner, the



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fifth respondent and any other affected persons. The second respondent shall thereafter pass a speaking order on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of on the above terms. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(K.SURENDER, J)
02.12.2025

NCC :Yes/No
Internet :Yes/No
Index :Yes/No
PKN

To

1. The District Collector,,
District Collector Office,
Madurai District.

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