



W.P.(MD)No.32796 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :17.11.2025

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.32796 of 2025

and

WMP (MD) No.25855 of 2025

S.Esakkipandian

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Tirunelveli.

2. The Tahsildar,
Palayamkottai Taluk,
Tirunelveli.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the 2nd respondent in Na.Ka.Aa6/90/2025 dated 29.04.2025 and quash the same and consequently direct the 1st respondent to issue Natham patta in favour of the petitioner with respect to Old Natham S.No.490 at Munneerpallam village, Palayamkottai Taluk, Tirunelveli District and pass such further or other orders as this Honble court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner :Mr.H.Arumugam

For Respondents :Mr.M.Muthumanikkam
Government Advocate



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ORDER

An order dated 29.04.2025 is challenged primarily on the ground that jurisdiction is vested in the Revenue Divisional Officer and not the Tahsildar under circular dated 27.08.2024 and issued by the Commissioner of Land Administration.

2. Learned counsel for the petitioner relied upon the above-mentioned circular and contended that the petitioner's case falls within Category-1 as mentioned therein and that, therefore, the Revenue Divisional Officer is vested with jurisdiction to verify the documents and grant patta. He also points out that the claims are restricted to a maximum of 35 cents and not to a maximum of 3 cents as mentioned in the impugned order. In effect, his contention is that the impugned order has been issued on the misconception that the request for patta was made on the basis that the petitioner is a landless individual seeking assignment.

3. Learned Government Advocate accepts notice for all the respondents. He submits, on the basis of written instructions, that the



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petitioner's request was rejected because the petitioner had put the lands in Survey Nos.478/10, 478/9 and 478/2 to commercial use. This contention is countered by learned counsel for the petitioner on the ground that a house along with shops has been put up.

4. The primary ground of challenge is on the basis that the Tahsildar does not have jurisdiction. The earlier representation of the petitioner was made to several revenue officials, including the Revenue Divisional Officer. In any event, circular dated 27.08.2024 of the Commissioner of Land Administration confers jurisdiction on the Revenue Divisional Officer. It also appears that the impugned order was issued on the basis that G.O.(Ms) No. 318 is applicable and that the ceiling is 3 cents. The petitioner has not applied on the ground that he is a landless person seeking a free house site patta. Instead, the submissions in the affidavit indicate that the petitioner claims title under registered conveyances. For all these reasons, the matter requires reconsideration.

5. For the said purpose, the impugned order is set aside and the matter is remanded to the Revenue Divisional Officer for reconsideration. After providing a reasonable opportunity to the



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petitioner, a fresh order shall be issued within three months from the date of receipt of a copy of this order.

6. This writ petition is disposed of on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

17.11.2025

NCC :No
Internet :Yes
Index :No
PKN

To
1. The Revenue Divisional Officer,
Tirunelveli.

2. The Tahsildar,
Palayamkottai Taluk,
Tirunelveli.



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SENTHILKUMAR RAMAMOORTHY, J.

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