



W.P.(MD) No.35553 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.35553 of 2025

and

W.M.P.(MD) Nos.28207, 28212 & 28213 of 2025

Eswaran

... Petitioner

Vs.

- 1.The Tahsildar,
Taluk Office, Usilampatti Taluk,
Madurai District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti, Madurai District.
- 3.The Sub Registrar,
Sub Registrar Office (SRO),
Usilampatti Taluk, Chellampatti,
Madurai District.

4.Jeyaraman

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the order passed by the second respondent in Mu.Mu.No.Aa2/6528/2018 dated 21.02.2023, quash the same and consequently direct the second respondent to issue a separate patta in



W.P.(MD) No.35553 of 2025

favour of the petitioner and the other legal heirs, namely Muniyandi, Eswaran (Petitioner), Muthaiya, Gopalan, Eswaran and Rajagopal, with respect to the land in R.S.No.122/1A1 (911/2 cents) situated at Aariyapatti Village, Usilampatti Taluk, Madurai District, in accordance with the joint representation on 25.10.2017.

For Petitioner : Mr.G.R.Balakumar

For R1 to R3 : Mr.P.Subbaraja
Special Government Pleader

ORDER

This Writ Petition has been filed seeking the issuance of a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the order passed by the second respondent in Mu.Mu.No.Aa2/6528/2018 dated 21.02.2023, quashing the same, and, consequently, directing the second respondent to issue a separate patta in favour of the petitioner and the other legal heirs, namely Muniyandi, Eswaran (Petitioner), Muthaiya, Gopalan, Eswaran, and Rajagopal, with respect to the land in R.S.No. 122/1A1 (911/2 cents) situated at Aariyapatti Village, Usilampatti Taluk, Madurai District, by considering the joint representation dated 25.10.2017.



W.P.(MD) No.35553 of 2025

WEB COPY

2. Though the prayer states that the order dated 21.02.2023 challenged in this Writ Petition is that of the second respondent/Revenue Divisional Officer, it is seen from the records that the impugned order dated 21.02.2023 was, in fact, passed by the first respondent/Tahsildar.

3. Admittedly, the impugned order is an appealable order under the Tamil Nadu Patta Passbook Act, 1983. An appeal ought to have been filed before the second respondent/Revenue Divisional Officer under Section 12 of the said Act. Instead, the petitioner has filed this Writ Petition under Article 226 of the Constitution of India challenging the order of the Tahsildar. Since an alternative and efficacious statutory remedy of appeal under Section 12 of the Tamil Nadu Patta Passbook Act, 1983 is available, this Writ Petition is not maintainable.

4. After this Court expressed its view, the learned counsel for the petitioner sought liberty for the petitioner to file a statutory appeal before the second respondent/Revenue Divisional Officer under Section 12 of the Tamil Nadu Patta Passbook Act, 1983, against the impugned order of the first respondent/Tahsildar dated 21.02.2023.



W.P.(MD) No.35553 of 2025

WEB COPY

5. Accordingly, this Writ Petition is disposed of by granting liberty to the petitioner to file a statutory appeal under Section 12 of the Tamil Nadu Patta Passbook Act, 1983, against the impugned order of the first respondent/Tahsildar dated 21.02.2023. The petitioner shall file the statutory appeal within a period of four (4) weeks from the date of receipt of a copy of this order. In the event of failure to file the appeal within the said period, the liberty granted shall stand vacated without further reference to this Court. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

[K.SURENDER, J.]

12.12.2025

JEN

Index : Yes / No

Neutral Citation : Yes / No

Speaking Order / Non-Speaking Order



W.P.(MD) No.35553 of 2025

To

WEB COPY

- 1.The Tahsildar,
Taluk Office, Usilampatti Taluk,
Madurai District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti, Madurai District.
- 3.The Sub Registrar,
Sub Registrar Office (SRO),
Usilampatti Taluk, Chellampatti,
Madurai District.



WEB COPY



W.P.(MD) No.35553 of 2025

K.SURENDER, J.

JEN

W.P.(MD) No.35553 of 2025

12.12.2025