



W.P.No.16043 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.16043 of 2026
and
W.M.P.No.17290 of 2026

Logeshwaran A

... Petitioner

Vs.

1.The Tahsildar,
Bhavani Taluk,
Erode District.

2.The Head Surveyor,
Bhavani Taluk,
Erode District.

3.Ammasai

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the file of the 1st respondent in proceedings Application No.2025/0105/10412298 dated 04.02.2026 and quash the same as illegal, incompetent and without jurisdiction and further direct the respondents to effect sub-division and transfer the patta in survey number 245/2A, measuring an extent of 21 cents out of 2.37.50 Acre in Patta No.2237 situated at Singampettai Village, Bhavani Taluk, Erode District based on the Settlement Deed No.5141/2025.



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For Petitioner : Mr.A.Arun Kumar
For Respondents : Mr.C.Jayaprakash
Government Advocate [R1 & R2]
Notice dispensed with [R3]

ORDER

This Writ Petition has been filed challenging the impugned order, dated 04.02.2026 passed by the 1st respondent, rejecting the petitioner's application seeking transfer of patta in the name of the petitioner on the ground that in the title deed standing in the name of the petitioner, the four boundaries of the property does not match with the actual boundaries.

2. Mr.C.Jayaprakash, learned Government Advocate, accepts notice on behalf of the respondents 1 and 2. Since no adverse order is passed against the 3rd respondent in this writ petition, notice to the 3rd respondent is dispensed with by this Court.

3. The petitioner has challenged the impugned order on the ground of violation of the principles of natural justice.



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4. Admittedly, no enquiry was conducted by the 1st respondent before rejecting the petitioner's application seeking transfer of patta in his name for the subject property. The contentions of the petitioner as raised in this writ petition have also not been considered by the 1st respondent in the impugned order, dated 04.02.2026. Being a non-speaking order with regard to the contentions of the petitioner as raised in this writ petition and an order passed in violation of the principles of natural justice, this Court is of the considered view that the impugned order, dated 04.02.2026 passed by the 1st respondent has to be quashed by this Court and the matter has to be remanded back to the 1st respondent for fresh consideration, on merits and in accordance with law.

5. Accordingly, the impugned order, dated 04.02.2026 passed by the 1st respondent is hereby quashed and the matter is remanded back to the 1st respondent for fresh consideration, on merits and in accordance with law, within a time frame to be fixed by this Court. The petitioner is directed to submit a written explanation along with supporting documents to the 1st respondent stating as to how the petitioner is entitled for transfer of patta in his name for the property morefully disclosed in the prayer to



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this writ petition, within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of the said written explanation from the petitioner within the stipulated time, the 1st respondent shall take a final decision as to whether the patta can be transferred in the name of the petitioner or not, after giving due consideration to the supporting documents filed by the petitioner as well as the written explanation submitted by him, within a period of eight (8) weeks thereafter. In case, the 1st respondent decides to reject the petitioner's application seeking transfer of patta, the 1st respondent shall pass a speaking order giving due consideration to the written explanation submitted by the petitioner as well as the supporting documents produced by him.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

28.04.2026

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
sp



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To

- 1.The Tahsildar,
Bhavani Taluk,
Erode District.
- 2.The Head Surveyor,
Bhavani Taluk,
Erode District.



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ABDUL QUDDHOSE, J.

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