



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 18986 of 2021
AND WMP NO. 20247 OF 2021**

1. R.Nagappan
S/o. Rangasamy, Vanakkampadi
Village, Melmalayanur Taluk,
Villupuram District. and 5 Others
2. Mani
S/o. Subraya Gounder, Vanakkampadi
Village, Melmalayanur Taluk,
Villupuram District.
3. Kannabiran
S/o. Kanniappan, Periyagaram Village,
Gingee Taluk, Villupuram District.
4. Subash Chandra Bose
S/o. Lakshmanan, Vanakkampadi
Village, Melmalayanur Taluk,
Villupuram District.
5. Shanmabi
W/o. Basha baig, Vanakkampadi
Village, Melmalayanur Taluk,
Villupuram District.
6. Akbar
S/o. Moideen, No. 29, Srinivasa nagar,
Tirupapuliyur, Cuddalore - 2

Petitioner(s)

Vs

1. The Collector
Office of The Collector, Villupuram
District, Villupuram.



2.The Sub Collector
Office of The Sub Collector,
Villupuram District, Villupuram.

3.The Tahsildar
Melmalayanur Taluk, Villupuram
District.

4.Narayanasamy
S/o. Arjuna Gounder, Melmalaiyanur
Taluk, Villupuram District.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents 1 to 3 herein to cancel the patta issued in favour of the 4th Respondent herein and to direct the respondents 1 to 3 herein to restore the joint patta No. 401, in the name of the petitioners, for the land comprised in Survey NO. 91/1E1, and 91/1E2 Mavananthal Village, Melmalaiyanur Taluk, Villupuram District

For Petitioner(s): Ms.R.Padmapriya

For Respondent(s): Mr.T.K.Saravanan, AGP for R1 to 3
Mr.J.Bharathiraja, for R4

ORDER

This writ petition has been filed to direct the respondents 1 to 3 to cancel the patta issued in favour of the 4th respondent and to direct the respondents 1 to 3 herein to restore the joint patta No. 401, in the name of the petitioners.



2. The learned counsel for the petitioners would submit that in this case, initially, vide order dated 03.01.2019 passed in WP.No.29140 of 2017, this Court directed the official respondents to consider the 4th respondent's representation for surveying the subject property and issuance of patta after hearing the parties concerned. However, in contrary to the said order, the patta was issued in the name of 4th respondent without any prior notice to the petitioners, which is a clear violation of principles of natural justice. Hence, this petition.

3. On the other hand, the learned counsel appearing for the official respondent would submit that pursuant to the aforesaid order dated 03.01.2019, the survey was conducted at the subject land in presence of the petitioners and hence, he would contend that the petitioners had knowledge with regard to the issuance of patta to the 4th respondent.

4. In reply, the learned counsel for the petitioner would submit that though the survey was conducted in presence of the petitioners, no notice was issued to him prior to the issuance of patta in the name of 4th respondent.

5. Heard the learned counsel for the petitioners and the respondents and also perused the entire materials available on record.



6. In the case on hand, this Court, vide order dated 03.01.2019 in WP.No.29140 of 2017, directed the official respondents to consider the 4th respondent's representation for surveying the subject property and issuance of patta after hearing the parties concerned. In pursuant to the said order, the survey was conducted at the subject property in presence of the petitioners and thereafter, patta was issued in the name of 4th respondent.

7. Now, the main grievance of the petitioner is with regard to the failure on the part of the official respondents in providing opportunity of hearing to the petitioner prior to the issuance of patta in the name of 4th respondent. However, the said disputed question of fact has to be considered by the 2nd respondent.

8. In such case, this Court directs the petitioner to file a fresh representation before the 2nd respondent. Upon filing of such representation, the 2nd respondent shall consider the same and after issuing notice to the petitioner as well as the 4th respondent, appropriate orders shall be passed, on merits and in accordance with law. Subsequently, if the petitioner is aggrieved over the order to be passed by the 2nd respondent, he can very well challenge the same in the manner known to law.



9. With the above directions, this writ petition is disposed of. No cost.

Consequently, the connected miscellaneous petition is also closed.

15-04-2026

nsa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.The Collector

Office of The Collector, Villupuram
District, Villupuram.

2.The Suo Collector

Office of The Sub Collector,
Villupuram District, Villupuram.

3.The Tahsildar

Melmalayanur Taluk, Villupuram
District.



WEB COPY

WP No. 18986 of 2021



KRISHNAN RAMASAMY J.
nsa

WP No. 18986 of 2021

15-04-2026