



WEB COPY

WP No. 30566 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 30566 of 2024

AND

WMP NO. 33168 OF 2024, WMP NO. 33169 OF 2024

V.R.P.Avinashi Muthusamy,
S/o Late V.R. Perumalsamy,
Plot No 24, Royal Arcade,
Mathigiri Hosur 635 110,
Krishnagiri District.

Petitioner(s)

Vs

1.The District Collector,
Erode 638 011.

2.The Revenue Divisional Officer,
Erode 638 001.

3.The Thasildar,
Taluk Office, Erode 638 001.

4.The Divisional Engineer (H),
Tamil Nadu Road Sector Project -II,
Room No 416, 4th Floor,
Integrated Collectorate Building,
Tiruppur 641 604.

5.The Assistant Director,
Lands Survey And Records Department,
District Collector Office Compound,
Erode 638 011.

6.The District Revenue Officer,
Erode, Erode District.

(R6 Impleaded Vide Order Dated 12.12.2025
Made In WMP.31848/2025 In WP.30566/2024
By AQJ)

Respondent(s)



PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 6th respondent in Na.Ka.No.5951/2022/A9 (Ni.Aa), dated 05.08.2022 and quash the same and consequently direct the respondents to change the revenue records as 2619 square feet (2252 $\frac{1}{4}$ plus 366 $\frac{3}{4}$) in Survey No.94/2 of Chithode Village, Erode Taluk, Covered in Patta No.183, based on the title deeds of the petitioner.

(Prayer Amended Vide Order Dated
12.12.2025 Made In WMP.31861/2025 In
WP.No.30566/2024 By AQJ)

For Petitioner(s): Mr.N.Palanikumar

For Respondent(s): Mr.D.Ravichander,
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned order dated 05.08.2022, passed by the 6th respondent, rejecting the petitioner's request for the changes in the revenue records for the property more fully described in the prayer to this writ petition.

2.The petitioner has challenged the impugned order on the ground that the same has been passed by total non-application of mind to the fact that the



petitioner is the owner of property to an extent of 2252 $\frac{1}{4}$ sq.ft and exclusive passage of 366 $\frac{3}{4}$ sq.ft, in total 2619 sq.ft in Natham Survey No.94/2, whereas, the 6th respondent in the impugned order has issued patta by reducing the extent to 1400 sq.ft. The petitioner has also challenged the impugned order on the ground of violation of principles of natural justice since the petitioner was not afforded with an opportunity of hearing by the 6th respondent before passing the impugned order.

3.The petitioner has filed supporting documents before this Court in support of his contention that he is entitled for the changes in the revenue records of the property by disclosing the exact extent of his ownership as 2619 sq.ft (2251 $\frac{3}{4}$ sq.ft + 366 $\frac{3}{4}$ sq.ft).

4.A counter affidavit has been filed by the 3rd respondent denying the contentions of the petitioner. According to the 3rd respondent, as seen from the counter affidavit, they claim that, only as per the revenue records, the petitioner was issued with the patta. Therefore, there is no necessity for them to correct the patta as prayed for by the petitioner in this writ petition.

5.The learned counsel for the petitioner categorically contends before this Court that the exact extent of the land owned by the petitioner has not been correctly disclosed in the patta issued in favour of the petitioner for the property



more fully described in the prayer to this writ petition. The petitioner has also filed supporting documents before this Court to substantiate his case.

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6.This Court is not expressing any opinion on the merits of the said documents since the petitioner was not afforded any opportunity to explain before the 6th respondent prior to the passing the impugned order with regard to the petitioner's contention that he is entitled to a patta for a larger extent of land.

7.This Court in the interest of justice deems it fit to quash the impugned order passed by the 6th respondent and remand the matter back to the 6th respondent for fresh consideration of the petitioner's representation on merits and in accordance with law, after affording one personal hearing to the petitioner. No prejudice will be caused to the respondents if such a direction is issued.

8.Admittedly, as seen from the impugned order, the contention of the petitioner as raised in this writ petition and the documents filed by the petitioner had not been considered by the 6th respondent.

9.For the foregoing reason, the impugned order dated 05.04.2022 passed by the 6th respondent is hereby quashed and the matter is remanded back to the 6th respondent for fresh consideration of the petitioner's representation seeking



for issuance of patta for a larger extent of land as prayed for in this writ petition, after affording an opportunity of personal hearing to the petitioner within the time frame to be fixed by this Court. The 6th respondent shall pass final orders after affording one personal hearing to the petitioner and also permitting the petitioner to submit a written explanation if any, within a period of twelve weeks from the date of receipt of a copy of this order.

10. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

28-01-2026

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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3. The Thasildar,
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ABDUL QUDDHOSE J.
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