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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2026

CORAM

THE HON'BLE MR.JUSTICE K.SURENDER

W.P.No.40594 of 2026 and
W.M.P.No.45549 of 2026
CNR: {HCMA012278102026}

P.Dharmalingam,
S/o.Periyasamy,
D.No.1/314 Dharapuram Road,
K.Chettipalayam South Taluk,
Tiruppur Cotton Market Post,
Tiruppur-641 604.

..Petitioner(s)

Vs

1. The District Collector,
   Office of the District Collector,
   Master Plan Complex, Palladam Road,
   Tiruppur 641 604,
   Tamil Nadu.

2. The District Revenue Officer,
   Office of the District Revenue Officer,
   Tiruppur District.

3. The Revenue Divisional Officer,
   Office of the Revenue Divisional Officer,
   Tiruppur District.

4. The Tahsildar,
   Office of the Tahsildar,
   Tiruppur South Taluk,
   Tiruppur District.

..Respondent(s)

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ in the nature of Writ of Certiorarified Mandamus, or any other writ, order, or direction, to call for the records pertaining to the order passed by the

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Order QR
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4th respondent in proceedings No.2026/N103/32/010588 dated 27.08.2026 and to quash the same as illegal, incompetent and ultra vires and consequently to direct the 4th respondent to issue patta in the petitioner's favour.

For Petitioner(s): Mr.V.K.Vengadesh Durai Raja

For Respondent(s): Ms.Saranya Priya,
Government Advocate

ORDER

This Writ Petition has been filed to quash the order passed by the 4th respondent in proceedings No.2026/N103/32/010588 dated 27.08.2026 as illegal, incompetent and ultra vires and consequently to direct the 4th respondent to issue patta in the petitioner's favour.

2.The case of the petitioner is that the property originally belonged to her maternal grandmother, who settled the same in favour of her maternal uncle, late Dakshinamoorthi, under a registered Settlement Deed dated 19.12.2014. The said Dakshinamoorthi, who remained a bachelor, subsequently executed an unregistered Will dated 14.07.2025 in favour of the petitioner and passed away on 03.06.2026. Based on the said Will, the petitioner sought transfer of patta in her favour. However, the 4th respondent rejected her application on the ground that patta cannot be transferred based on an unregistered document. Aggrieved by the same, the petitioner has filed the present Writ Petition.

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3.The learned Government Advocate appearing for the respondents would submit that the impugned order was passed without properly adverting to the claim of the petitioner and the documents relied upon by him. She would further submit that the 4th respondent would reconsider the petitioner's application dated 27.08.2026 and pass a fresh speaking order, after affording an opportunity of personal hearing to the petitioner and considering all the relevant documents produced by him.

4.In view of the above submission, this Court is of the view that the impugned order, being a non-speaking order, requires reconsideration by the 4th respondent by taking into account the claim of the petitioner and the documents relied upon by him.

5.Accordingly, the impugned proceedings No.2026/N103/32/010588 dated 27.08.2026 passed by the 4th respondent is set aside and the matter is remitted to the 4th respondent for fresh consideration. The 4th respondent is directed to issue notice to the petitioner and afford him a reasonable opportunity of personal hearing and permit the petitioner to produce all relevant documents in support of his claim and pass a reasoned and speaking order on merits and in accordance with law, dealing with the contentions raised by the petitioner and the documents produced by her.

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6.It is made clear that this Court has not expressed any opinion on the merits of the petitioner's claim over the property, and it is for the 4th respondent to decide the application independently, in accordance with law.

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

30.10.2026

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

1. The District Collector,
   Office of the District Collector,
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   Tamil Nadu.
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K.SURENDER, J.

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