



W.P.No.42234 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.42234 of 2025

Chinnadurai

... Petitioner

Vs.

The Tahsildar,
Arakkonam Taluk,
Arakkonam,
Ranipet District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the respondent made in Mu.M.A1/3052/2025 dated 16.09.2025, quash the same and consequently direct the respondent to mutate the patta in the name of the petitioner as per the Lok Adalat Award passed in O.S.No.241 of 2007 on the file of the District Munsif Court, Arakkonam.

For Petitioner : Mr.P.Krishnan

For Respondent : Mr.R.P.Murugan Raja
Government Advocate

ORDER

This writ petition has been filed challenging the impugned order, dated 16.09.2025 passed by the respondent, rejecting the petitioner's



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application seeking for transfer of patta in his name on the ground that the petitioner did not seek prior permission from the Tahsildar or the Revenue Divisional Officer before purchasing the property in accordance with G.O.Ms.No.2485, Revenue Department, dated 09.11.1979.

2. The learned counsel for the petitioner relies upon the decision rendered by this Court in the case of ***Ramehkumar & Ors. Vs. The Commissioner of Land Administration & Ors.*** reported in ***2025 SCC OnLine Mad 1667*** and would submit that as per the said decision, it is clear that when it has not been imposed as an assignment condition, then neither the assignee nor the subsequent purchaser will have to seek permission from the Tahsildar or Revenue Divisional Officer before disposing of the property.

3. In the case on hand, the petitioner purchased the property from his vendor in the year 2007 and assignment in favour of the petitioner's vendor was also made in the year 1950. It can be clearly seen that more than ten years has elapsed since the assignment has been made in favour of the petitioner's vendor. The very same issue was considered by a learned Single Judge of this Court in the decision relied upon by the



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learned counsel for the petitioner as referred to supra. Paragraph No.17 of the said order supports the petitioner's case, which reads as follows :-

“17. The respondents are relying upon Standing Order No.15 of the Board of Revenue in Form D, which states that after the expiry of 10 years, the assigned lands can be disposed of only after getting prior permission of either the Tahsildar or the Revenue Divisional Officer. This is based on G.O.Ms. No. 2485 dated 09.11.1979. If really this Government Order is relied upon, nothing stopped the respondents from adding it as one of the conditions of assignment. If it has not been made as a condition, there is no illegality in dealing with the lands assigned after a period of 10 years from the date of assignment.”

4. According to the learned counsel for the petitioner, by total non-application of mind, the impugned order has been passed by the respondent, rejecting the petitioner's application seeking for issuance of patta in his name.

5. A counter has been filed by the respondent reiterating the contents of the impugned order by relying upon G.O.Ms.No.2485, Revenue Department, dated 09.11.1979.



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6. However, as seen from the petitioner's case, the assignment conditions does not impose a condition that neither the assignee nor any subsequent purchaser will have to seek permission from the Tahsildar or Revenue Divisional Officer before selling the property. Further, it is to be noted that the assignment made in favour of the petitioner's vendor is prior to G.O.Ms.No.2485, Revenue Department, dated 09.11.1979. Since the impugned order is a non-speaking order with regard to the petitioner's contentions as raised in this writ petition, necessarily, the impugned order has to be quashed and the matter has to be remanded back to the very same respondent for fresh consideration on merits and in accordance with law, after giving due consideration to the decision rendered by this Court in the case of ***Ramehkumar & Ors. Vs. The Commissioner of Land Administration & Ors.*** reported in ***2025 SCC OnLine Mad 1667***.

7. For the foregoing reasons, the impugned order, dated 16.09.2025 passed by the respondent is hereby quashed and the matter is remanded back to the respondent for fresh consideration on merits and in accordance with law. The respondent is directed to pass final orders on merits and in accordance with law on the petitioner's application seeking for issuance of patta in his name for the property morefully disclosed in



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the affidavit filed in support of this writ petition, after giving due consideration to the decision rendered by this Court in the case of ***Ramehkumar & Ors. Vs. The Commissioner of Land Administration & Ors.*** reported in ***2025 SCC OnLine Mad 1667***, within a period of period of twelve (12) weeks from the date of receipt of a receipt of this order.

8. With the aforesaid directions, this Writ Petition is disposed of.

No costs.

12.02.2026

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

The Tahsildar,
Arakkonam Taluk,
Arakkonam,
Ranipet District.



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ABDUL QUDDHOSE, J.

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