



W.P.(MD)No.1008 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.1008 of 2026

and

W.M.P.(MD)No.799 of 2026

R.Rammaheswari

... Petitioner

-VS-

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.

3.The Executive Officer,
Chettiyarpatti Town Panchayath,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 24.07.2024 in Oo.Mu.A5/RDR/697/2024 issued by the second respondent Tahsildar and quash the same as illegal and consequently, seeking a direction for issuance of Patta based on subdivision for lands in S.No. 438/23, 24 and 25, situated at Chettiyarpatti Village, Rajapalayam Taluk, Virudhunagar District.



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For Petitioner : Ms.Chamundi Bose
For R1 and R2 : Mr.B.Ramanathan
Additional Government Pleader
For R3 : Mr.M.Lingadurai
Special Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to quash the impugned order of the second respondent, dated 24.07.2024, and consequently, to issue Patta based on the subdivision of lands in S.No.438/23, 24, and 25, situated at Chettiyarpatti Village, Rajapalayam Taluk, Virudhunagar District.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel for the petitioner submits that the petitioner's request for issuance of Patta for S.No.438/23, 24, and 25, situated at Chettiyarpatti Village, Rajapalayam Taluk, Virudhunagar District, was rejected by the second respondent vide the impugned order dated 24.07.2024, without any valid reason.



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4. As per the impugned order dated 24.07.2024, the lands in question were classified as Government Poramboke according to the Village records. *Prima facie*, it appears that the impugned order was passed based on the available village records classifying the lands as Government Poramboke.

5. The learned counsel for the petitioner further submits that a series of representations were made, and that an order was passed by the Division Bench of this Court on 08.01.2026 in W.P.(MD)No.22 of 2026. The prayer in the said writ petition was to quash the impugned notice dated 13.06.2025 issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 and impugned notice dated 06.12.2025 issued under Section 6 of the said Act, and a consequential direction to issue Patta based on subdivision in S.No.438/23, 24 and 25, situated at Chettiyarpatti Village, Rajapalayam Taluk, Virudhunagar District. [The order passed in the writ petition is yet to be uploaded in the official website.] Additionally, the petitioner has filed the extract of the RSR copy provided by the District Collector's office at Virudhunagar. In the said document, the learned counsel for the petitioner has pointed out S.No.231/1, which is recorded as a Village site. The learned counsel further submits that S.No.231/1 was renumbered as S.No.438/23, 24, and 25.



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6. However, as seen from the impugned order, while the petitioner claims that Survey No.231/1 was renumbered as Survey Nos.438/23, 438/24, and 438/25, the impugned order does not reflect this fact. In the light of the order passed by the Division Bench of this Court in W.P.(MD)No.22 of 2026, dated 08.01.2026, directing the petitioner to file an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, before the first respondent / District Collector within a period of four weeks from the date of receipt of a copy of the said order and further directing that, till the disposal of the said appeal, the impugned notices shall not be enforced, this Court deems it fit and appropriate to dispose of the present Writ Petition. No further orders are required to be passed in the present Writ Petition in view of the orders already passed in W.P.(MD)No.22 of 2026, dated 08.01.2026.

7. Needless to say, the petitioner's claim that Survey Nos.438/23, 438/24, and 438/25 are newly assigned survey numbers corresponding to Survey No. 231/1, recorded as a Village site, shall be examined during the appellate proceedings.



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8. With the above observation, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
19.01.2026

To:-

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.
- 3.The Executive Officer,
Chettiyarpatti Town Panchayath,
Virudhunagar District.



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