



W.P.(MD)No.1567 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.1567 of 2026

and

W.M.P.(MD)Nos.1236 and 1237 of 2026

Meenakshi Sundaram alias Sundaram

... Petitioner

-VS-

1.The District Collector,
Collectorate,
Sivagangai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Devakottai,
Sivagangai District.

3.The Zonal Deputy Tahsildar,
Tahsildar Office,
Karaikudi Taluk,
Sivagangai District.

4.S.Mangaiyarkarasi

5.S.Sornalingam

6.S.Velusami

7.Priyadarshini

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the third respondent in his impugned proceedings in T.R.No. 2023/0153/23/002433TR dated 20.11.2023 and quash the same as illegal and further directing the third respondent herein to restore the Patta No.2650 in the name of petitioner forthwith pertaining to the property in old S.No.1A1P, now T.S.No.170/12, to an extent of 132 sq.mts. (1421 sq.ft.) in Patta No.2650 in Ward 2, Kazhanivasal (Part 1), Sekkalaikottai (Part 2), Karaikudi Taluk, Sivaganga District.

For Petitioner : Mr.S.Vashik Ali

For R1 to R3 : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the third respondent dated 20.11.2023 and consequently, to direct the third respondent to restore Patta No.2650 in the name of the petitioner forthwith pertaining to the property in old S.No.1A1P, now T.S.No.170/12, to an extent of 132 sq.mts. (1421 sq.ft.) in Patta No.2650, situated at Ward 2, Kazhanivasal (Part 1), Sekkalaikottai (Part 2), Karaikudi Taluk, Sivaganga District.



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2. This Writ Petition is taken up for final disposal at the admission stage itself, as the change of name in the Patta was made without following the due process of law, as fairly conceded by the learned Special Government Pleader that there is nothing on record to show that before the changes were effected, the petitioner was put on notice.

3. The learned counsel for the petitioner submits that, based on an application dated 20.11.2023 made by the fourth respondent, the third respondent (Zonal Deputy Tahsildar, Karaikudi Taluk) obtained a report from the Taluk Surveyor on the same day and following the said report, changes were made regarding the subject property in the name of third parties, namely, the respondents 4 to 7 herein.

4. The petitioner's only grievance is that the procedure prescribed under Section 10 of the Tamil Nadu Patta Pass Book Act, 1983 [hereinafter referred to as "the Act"] has not been followed. Furthermore, the third respondent has shown undue haste in disposing of the application filed by the fourth respondent.



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5. In support of his submission, the learned counsel for the petitioner relies on the order passed by this Court in **Tamilarasan vs. District Collector, Madurai District and others**, reported in **2025 (2) CWC 875**. In this case, under similar circumstances, relying on Section 10(3)(a) of the Act, the changes effected in the Revenue Records was set aside.

6. Heard the learned counsel appearing for the parties.

7. As per Section 10(3)(a) of the Act, any application filed under subsection (1) requires the Tahsildar to follow the prescribed procedure, which includes providing a reasonable opportunity to the parties concerned. The principles of natural justice mandate that such opportunities be given, as further stipulated under Section 10(3)(a) of the Act.

8. Section 10 of the Act reads as follows:-

"10. Modification of entries in the patta pass book.-

(1) Where any person claims that any modification is required in respect of any entry in the patta pass book already issued under section 3 either by reason of the death of any person or by reason of the transfer of



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interest in the land or by reason of any other subsequent change in circumstances, he shall make an application to the Tahsildar for the modification of the relevant entries in the patta pass book.

(2) An application under sub-section (1) shall contain such particulars as may be prescribed and shall be accompanied by the documents, if any, relied on by the applicant as evidence in support of his claim.

(3) (a) Before passing an order on an application under sub-section (1), the Tahsildar shall follow such procedure as may be prescribed and shall also give a reasonable opportunity to the parties concerned to make their representations either orally or in writing. If the Tahsildar decides that any modification should be made in respect of entries in the patta passbook, he shall pass an order accordingly and shall make such consequential changes in the patta pass book, as appear to him to be necessary, for giving effect to his order.

(b) If the Tahsildar decides that there is no case for effecting any modification in the entries in the patta pass book, he shall reject the application.

(c) An order under clause (a) or clause (b) shall contain the reasons for such order and shall be communicated to the parties concerned in such manner as may be prescribed." [Emphasis supplied]



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9. As seen from the impugned proceedings, the application for change of Patta was on 20.11.2023, report obtained from the Taluk Surveyor on the same day and changes were also effected on the same day. As rightly contended by the learned Special Government Pleader, the petitioner was not put on notice before his name was changed, in accordance with the mandate under Section 10(3)(a) of the Act.

10. In view of the above, and considering the fact that the modification in the revenue records has adversely affected the petitioner, thereby, causing serious prejudice to him, this Court deems it fit and appropriate to set aside the impugned order of the third respondent dated 20.11.2023.

11. At this juncture, the learned Special Government Pleader appearing for the respondents 1 to 3 submits that, if the matter is remanded back to the third respondent, the procedure will be duly followed.

12. In the light of the foregoing, the impugned order of the third respondent dated 20.11.2023 is hereby set aside, and the matter is remanded back to the third



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respondent for fresh consideration. The third respondent is directed to pass appropriate orders on merits and in accordance with the law, after affording reasonable opportunity of hearing to all the parties concerned.

13. Accordingly, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No

Index : Yes / No

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To:-

(K.SURENDER, J.)

23.01.2026

- 1.The District Collector,
Collectorate,
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- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
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