

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16-06-2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

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WP(MD) NO.7429 of 2026

and

WMP(MD) Nos.6105 and 6106 of 2026

1. Anbuselvi
2. Gandhimathi

Petitioner(s)

Vs

1.The Revenue Tahsildar/Cultivating Tenants Record Officer,
Melur Village, Srirangam,
Trichy -620 006.

2.The Revenue Inspector,
Melur Village, Srirangam,
Trichy -620 006.

3.The Srirangam C.T. Annadhana Chatram Trust
Rep by its Managing Trustees
No.48/62, North Adyavalanjan Street
Vellithirumutham Village
Srirangam, Trichy-620 006.

- 4.Naryanan Chettiar
- 5.Kannammal
- 6.Vijayakumar
- 7.N.Rajasubramanian
- 8.KAY.ENN. Manivannan

Respondent(s)

For Petitioner(s): Mr.A.Mohamedhaneef

For Respondent(s): Mr.S.Siva Thilakar,

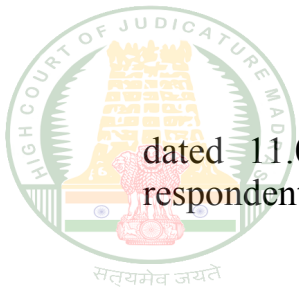
Counsel for State of Tamil Nadu For R1 And R2

No appearance for R3 and R8

Mr.B.Prasanna Vinoth For R4

Mr.K.Prabhakar For R5 to R7

Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, calling for the records of the impugned order



dated 11.04.2025 in proceedings vide T.R.No.A2/001/2025 passed by the 1st respondent and quash the same.

ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorari, to quash the impugned order dated 11.04.2025 in proceedings vide T.R.No.A2/001/ 2025 passed by the 1st respondent.

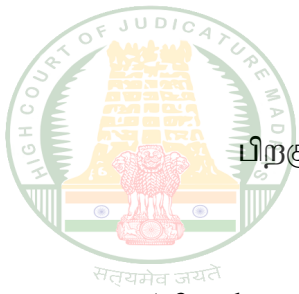
2. The claim of the petitioner is that the land in S.F.No.925 to an extent of 23.9 cents belongs to the 3rd respondent Trust and the entire portion of the land was hand over for cultivation to one Subbaraya Gounder and he was recognized as cultivating tenant in the records. After his demise, his son namely Natarajan was recognized as the cultivating tenant to the extent of 1.75 acres until his life time. The said Natarajan's daughters are the petitioners herein and the 5th respondent is the wife and the 6th and 7th respondents are the sons. The said Natarajan died on 10.10.2023 leaving behind the aforesaid legal heirs. After the demise of the said Natarajan, the wife and sons / 5, 6 and 7 respondents had submitted before the official respondents to delete the name of Natarajan from the cultivating tenancy rights and also submitted that as legal heirs of Natarajan they would not claim the cultivating tenancy rights in future also and thereby given up their rights. Recording their submission, the impugned order has been passed. But the contention of the petitioners is that as daughters of the said Late Natarajan they are having the



cultivating tenancy rights, but the impugned order has been passed without hearing the petitioners, hence the petitioners are seeking to quash the order and remit the case to the authorities to consider their claim. Hence the present writ petition.

3. The primary contention of the petitioners are that before passing the impugned order the respondents have not issued any notice to the petitioners thereby there is violation of the principles of natural justice. Further the impugned order has recorded that all the legal heirs of the Late Natarajan had given up their rights, but the petitioners have never given up their rights. The petitioners being legal heirs of the Late Natarajan, was not issued notice, hence there is no question of giving up their rights. By merely recording the submission of other legal heirs i.e. wife and sons of Natarajan the impugned order has been passed. Further the submission of other legal heirs is not binding on the petitioners. The said contention of the petitioners was vehemently objected by 5 to 7 respondents and submitted that the late Natarajan had executed a registered Will dated 06.10.2008 in Doc. No. 92 of 2008 and the same had come into effect after his death. The petitioners are aware of the execution of the said Will. In the said Will the cultivating tenancy rights are allotted to the sons alone and the relevant paragraph is extracted hereunder:

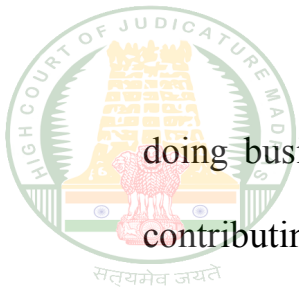
"மேலேகண்ட விபரப்படி அடையும் சொத்துக்களைதவிர, மேலூர் கிராமம், வார்டு-1, பிளாக்-25, மேலூர் ரோடு, S.F.No.925 செட்டியார்தோப்பிலுள்ள ஏக்கர்.2.00 (இரண்டு ஏக்கர்) என் வசம் குத்தகையிலுள்ள தோப்பையும் என்னுடைய ஆயுளுக்குப்



பிறகு இருவரும் சமமாக அனுபவித்துக்கொள்ள வேண்டியது.”

After hearing the rival submission and on perusing the relevant paragraph, it is seen that the petitioners were not allotted the rights of cultivating tenant, hence the petitioners cannot claim that they had inherited the cultivating right from their father, consequently they cannot claim the cultivating tenancy rights. When such right is not available, then notice to the petitioners is not necessary. When there is no right to the petitioners, then the plea of no notice was issued is not available to the petitioners. Even if the claim of the petitioner is accepted for the sake of argument that no notice was issued, even if issued, the same would be an empty formality. Therefore, this Court is rejecting the plea of violation of principles of natural justice.

4. Further it is settled law that the cultivating tenancy rights is conferred only if there is contribution of physical labour. In the present case, the petitioners are married and are residing in their matrimonial home. Especially the 2nd petitioner is living at Coimbatore and the lands are at Srirangam, hence it is not feasible to contribute physical labour. As far as the 1st petitioner is concerned, she had never ever contributed physical labour when the father Natarajan was alive, even though she is living at Srirangam. Moreover, it is brought to the knowledge of this Court that the 1st petitioner was allotted a lodge in the said Will, hence there is necessity for her to do agricultural activities by contributing physical labour. The 2nd petitioner is also



doing business, hence there is no necessity for her to do agricultural activities by contributing physical labour.

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5. It is submitted that the 3rd Trust had exchanged the lands with the 8th respondent and the same is being challenged in O.S.No.589 of 2025 on the file of District Court, Trichy. The petitioners along with other persons have filed the said suit inter alia praying to declare the said exchange of land as null and void and for preliminary decree to divide the cultivating tenancy rights. The respondents have filed written statement. It is relevant to note that the petitioner had not disclosed the pendency of suit and the Will executed by their father in the present writ petition. It is pertinent to record that the petitioners have not stated in the said suit that they are contributing physical labour. Therefore, this Court is of the considered opinion that the petitioners have not approached with clean hands.

6. It is seen that the Trust and the 8th respondents have exchanged lands and some of the lands were settled in favour of some individuals and they are in possession of the said lands. Hence the disputed land is not available for cultivation. Therefore, this Court is of the considered opinion that when the property itself is not available to the Trust, then the petitioners cannot claim rights, especially the cultivating rights over the said land.



7. At this juncture it is submitted by the 4th respondent that based on the exchange of lands, some of the lands were settled in favour of some individuals and they are in possession of lands. But the petitioner along with certain persons are threatening the said individuals to vacate the said land. This Court is of the considered opinion that the law would come to the rescue of the individuals if the person is abiding the law. If the above allegations are true then the petitioner's attitude is condemnable.

8. The cultivating tenants who are poor agriculturist and who are contributing physically labour are protected from eviction from the agriculture land. But under the guise of claiming cultivating tenancy, the persons who are well established in life and who owns lodge and doing other business cannot be allowed to misuse the Act. The present case is a classic example.

9. For the reasons stated supra, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

16-06-2026

Tmg



To

1.The Revenue Tahsildar/Cultivating Tenants Record Officer,
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Srirangam,
Trichy -620 006.

2.The Revenue Inspector,
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S.SRIMATHY, J.
TMG

ORDER
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