



W.P.(MD)No.4334 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.4334 of 2026

and

W.M.P.(MD)Nos.3613 and 3614 of 2026

Sri Raakkayi Amman Temple,
Represented by its Administrator,
Mayandi,
Madurai Road,
Kalavasal,
Bharathi Nagar,
Sivagangai.

... Petitioner

-VS-

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Sivagangai District,
Sivagangai.
- 3.The Thasildar,
Sivagangai Taluk,
Sivagangai District.
- 4.K.Rani



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5.Narayanasamy

... 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 passed by the second respondent in Mu.Mu.A5/7919/2024 dated 08.08.2025 and quash the same as illegal and consequently direct the third respondent to restore the revenue records in the name of Sri Raakkayi Amman Temple in Town Survey No.8, G.R.Survey No.46/1067 in Ward-E, Block-10, Sivagangai Town, Sivagangai District.

For Petitioner : Mr.N.Jeyaram Sidharth

For R1 to R3 : Mr.D.S.Nedunchezhiyan
Government Advocate

ORDER

The Writ Petition has been filed seeking to quash the impugned order passed by the second respondent dated 08.08.2025 and consequently, to direct the third respondent to restore the revenue records in the name of Sri Raakkayi Amman Temple in Town Survey No.8, G.R.Survey No.46/1067 in Ward-E, Block-10, Sivagangai Town, Sivagangai District.

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



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3. Since no adverse orders are going to be passed against the respondents 4 and 5, notice to the respondents 4 and 5 is hereby dispensed with.

4. The learned counsel appearing for the petitioner submits that no notice was issued to the petitioner prior to the passing of the impugned order, which resulted in the transfer of Patta in favour of the respondents 4 and 5. The petitioner's fundamental right to be heard before the passing of any order adversely affecting their interests has been violated. It is well settled that when an administrative action, such as the transfer of Patta, is undertaken, the persons likely to be affected must be issued notice and afforded a reasonable opportunity to present their case. In the present case, the petitioner was not put on notice prior to the transfer of Patta. Consequently, they were deprived of the opportunity to make their representations or to challenge the basis of the said transfer, thereby causing serious prejudice to their rights and interests. In such circumstances, the impugned order is liable to be set aside, and the Writ Petition deserves to be allowed.



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5. When questioned, the learned Government Advocate appearing for the respondents 1 to 3, on instructions, fairly submitted that the petitioner was not put on notice prior to the passing of the impugned order.

6. A perusal of the impugned order does not indicate that the petitioner was afforded an opportunity to present their case before it was passed. Inasmuch as the transfer of Patta was effected without issuing notice to the petitioner, who is an affected party, the impugned order is in violation of the principles of natural justice.

7. For the above reason, the impugned order deserves to be set aside. Accordingly, it is set aside. The second respondent shall issue notice to the petitioner, the respondents 4 and 5 as well as all other persons, who may be interested in the subject matter, call for objections, and conclude the enquiry after considering the objections raised by the petitioner, and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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8. Accordingly, the Writ Petition stands disposed of. No costs.

Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
17.02.2026

To:-

- 1.The District Collector,
Sivagangai District,
Sivagangai.
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O/o. the Revenue Divisional Officer,
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