



W.P.(MD)No.7280 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.7280 of 2025

and

W.M.P.(MD).Nos.5487 and 5488 of 2025

Sudalaimuthu

... Petitioner

-VS-

1.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Thasildar,
Kadaladi Taluk,
Ramanathapuram District.

3.Pitchai

4.Shanmugam

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the order dated 08.01.2024 passed by the second respondent vide D.R 2024/27/21/000494SD and quash the same.

For Petitioner : Mr.K.R.Laxman
for G.Vishnuram

For Respondents : Mr.P.Subbaraj(for R1 and R2)
Special Government Pleader

Mr.V.Selva Kumar (for R3 & R4)

ORDER

This Writ Petition has been filed seeking to quash the impugned order dated 08.01.2024 passed by the second respondent vide D.R 2024/27/21/000494SD.

2. The main ground raised by the learned counsel for the petitioner is that the petitioner was not put on notice before the impugned order was passed, as it is evident from the fact that respondents 3 and 4 made an application on 08.01.2024, and on the very same day, i.e., on 08.01.2024, the second respondent



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issued a separate patta in the names of respondents 3 and 4. Once the modification is sought to be made, the procedure prescribed under Section 10(3) of the Tamilnadu Patta Pass Book Act, 1983, has to be followed. Furthermore, the second respondent has shown undue haste in disposing of the petition filed by the private respondents.

3. When questioned, the learned Special Government Pleader appearing for the respondents 1 and 2 submitted that there is an appeal procedure prescribed to question the order of the Thasildar transferring the patta.

4. A perusal of the impugned order does not indicate that the petitioner was afforded an opportunity to present his 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. Further, in the present case, when the procedure prescribed under Section 10(3) of the Tamilnadu Patta Pass Book Act, 1983, has not been followed, the question of filing appeal does not arise. Hence, the impugned order deserves to be set aside.



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5. Accordingly, this Writ Petition stands allowed and the impugned order dated 08.01.2024 passed by the second respondent vide D.R 2024/27/21/000494SD is set aside. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
vsg

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