



W.P.(MD)No.2862 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.2862 of 2019

and

W.M.P.(MD)No.2162 of 2019

Sundareswaran

... Petitioner

-VS-

1.The District Revenue Officer,
Madurai District,
Madurai.

2.The Tahsildar,
Peraiyur Taluk Office,
Peraiyur,
Madurai District.

3.T.Thangam

4.T.Sundarrajan

... 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 of the first respondent dated 19.11.2018, vide his proceedings in Ni.Mu.No.59773/2015/G5 and quash the same as illegal and consequently, directing the respondents 1 and 2 to restore the petitioner's patta.



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For Petitioner : Mr.T.Vadivelan
For R1 and R2 : Mr.D.Sadiq Raja
Additional Government Pleader
For R3 and R4 : Mr.R.Narayanan

ORDER

The Writ Petition has been filed seeking to quash the impugned order of the first respondent dated 19.11.2018 and consequently, direct the respondents 1 and 2 to restore the petitioner's Patta.

2. The learned counsel appearing for the petitioner submits that the petitioner was not put on notice before the impugned order was passed, which led to cancellation of Patta. The petitioner's fundamental right to be heard before any order adversely affecting his interests was passed, has been violated. It is well-established that when an administrative action such as, the cancellation of Patta is taken, the persons affected should be provided notice and an opportunity to present their case. By not being put on notice, the petitioner has been deprived of an opportunity to make representations or challenge the basis of the cancellation, causing prejudice to his rights and interests. Therefore, the impugned order is liable to be set aside, and the Writ Petition may be allowed.



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3. When questioned, the learned Additional Government Pleader appearing for the respondents 1 and 2 fairly submits that the impugned order does not disclose that the petitioner was put on notice before the said order was passed.

4. The impugned order does not reflect that the petitioner was given an opportunity to present his case before it was passed. Since the petitioner was affected by the cancellation of Patta without being put on notice, the impugned order violates the principles of natural justice.

5. For the above reason, the impugned order deserves to be set aside. Accordingly, it is set aside. The first respondent shall issue notice to the petitioner, the respondents 3 and 4 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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6. Accordingly, the Writ Petition stands disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No

Index : Yes / No

To:-

(K.SURENDER, J.)

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Madurai.

2.The Tahsildar,
Peraiyur Taluk Office,
Peraiyur,
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