



W.P.(MD) No.3166 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.3166 of 2019

and

W.M.P.(MD) No.2477 of 2019

M.Bharathivasu

... Petitioner

Vs.

1.The Special Deputy Collector,
Revenue Court, Madurai.

2.The Tenancy Records Officer
cum Tahsildar,
Madurai East Taluk,
Madurai District.

3.Suresh Babu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari to call for the records of the impugned order of the first respondent in Me.Mu.I.A.No.10/2015-Me.Mu.4/2015 dated 12.01.2018 and the consequential proceedings of the second respondent in D.R.No.2968/2018 dated 11.09.2018 and quash the same as illegal.

For Petitioner : Mr.Kannan



W.P.(MD) No.3166 of 2019

WEB COPY

For R1 & R2 : Mr.R.Ragavendran
Government Advocate

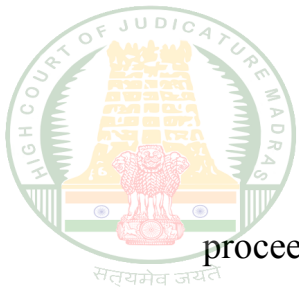
For R3 : Mr.R.Ramasamy

ORDER

This Writ Petition has been filed seeking the issuance of a Writ of Certiorari to call for the records relating to the impugned order of the first respondent in Me.Mu.I.A.No.10/2015-Me.Mu.4/2015, dated 12.01.2018, and the consequential proceedings of the second respondent in D.R.No. 2968/2018, dated 11.09.2018 and to quash the same as illegal.

2. The petitioner had earlier filed a petition in T.R.No.7 of 2011 before the second respondent seeking to record him as a cultivating tenant. The said petition was allowed on 27.11.2014 and in the revenue records, the petitioner's name was entered as a cultivating tenant.

3. Aggrieved by the said order of the second respondent dated 27.11.2014, the third respondent filed an appeal before the first respondent in Appeal No.4 of 2015 (Me.Mu.4/2015). The first respondent called for the records from the second respondent relating to the



W.P.(MD) No.3166 of 2019

proceedings which culminated in recording the petitioner as a cultivating tenant. However, the second respondent has not sent the records. The order of the second respondent dated 27.11.2014 was set aside by the first respondent by an order dated 12.01.2018 on the ground that the second respondent failed to furnish the records based on which he had passed the order determining the petitioner as a cultivating tenant. Pursuant thereto, the second respondent issued consequential proceedings dated 11.09.2018.

4. The ground on which the order of the second respondent dated 27.11.2014 was set aside, cannot be sustained. Consequently, the consequential proceedings dated 11.09.2018 are also liable to be set aside. Accordingly, both the impugned orders are set aside and the matter is remitted to the first respondent. The second respondent shall send the entire records to the first respondent for disposal of the appeal filed by the third respondent on merits. On receipt of the same, the first respondent shall pass orders on merits and in accordance with law. The entire exercise shall be completed within a period of five months from the date of receipt of a copy of this order.



W.P.(MD) No.3166 of 2019

WEB COPY 5. With the above observations, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

[K.SURENDER, J.]
16.02.2026

JEN

Index : Yes / No

Neutral Citation : Yes / No

To

1.The Special Deputy Collector,
Revenue Court, Madurai.

2.The Tenancy Records Officer cum Tahsildar,
Madurai East Taluk,
Madurai District.



WEB COPY



W.P.(MD) No.3166 of 2019

K.SURENDER, J.

JEN

W.P.(MD) No.3166 of 2019

16.02.2026