



W.P.(MD)No.28302 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.28302 of 2023

B.Sornam (Died)

1.S.Balasubramanian

[First petitioner is impleaded vide order dated
10.12.2025 made in W.M.P.(MD)No.25501 of 2025]

2.S.Parvathi

3.M.Vaitheki

... Petitioners

[Petitioners 2 and 3 are impleaded vide order
dated 18.02.2026, made in W.M.P.(MD)No.27805 of 2025]

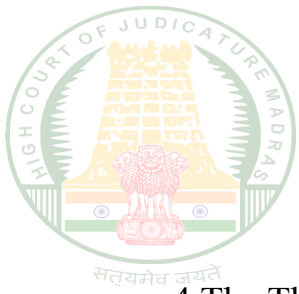
-VS-

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The District Revenue Officer,
Sivagangai,
Sivagangai District.

3.The Revenue Divisional Officer,
Devakottai, Sivagangai District.

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4.The Thasildar,
Devakottai,
Sivagangai District.

... Respondents

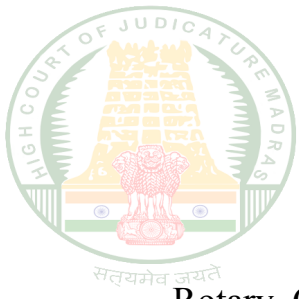
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent vide Na.Ka.A3/10071/2022 dated 21.09.2023 as illegal and beyond the scope and without jurisdiction and quash the same and consequently, direct the third respondent to delete the name wrongly mentioned in the revenue records and include petitioners' names in the Patta in respect of the property measuring an extent of 34.4 cents, situated in Town Survey Nos.20 and 25, Ward – A, nearby Rotary Club, Devakottai, Sivagangai District, as per the order passed by the fourth respondent vide Na.Ka.No.A1/43/2018 dated 18.07.2018 within a time frame to be stipulated by this Court.

For Petitioners : Mr.I.Velpradeep

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

The Writ Petition has been filed seeking to quash the impugned order passed by the third respondent dated 21.09.2023 and consequently, to direct the third respondent to delete the name wrongly mentioned in the revenue records and include petitioners' names in the Patta in respect of the property measuring an extent of 34.4 cents, situated in Town Survey Nos.20 and 25, Ward – A, nearby

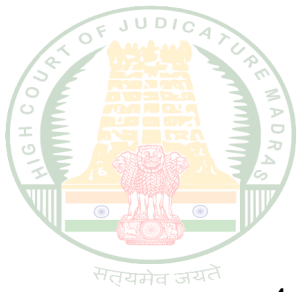


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Rotary Club, Devakottai, Sivagangai District, as per the order passed by the fourth respondent vide Na.Ka.No.A1/43/2018 dated 18.07.2018, within a time frame to be stipulated by this Court.

2. The learned counsel appearing for the petitioners submits that the first respondent issued an enquiry notice dated 05.01.2023 to the deceased, B.Sornam, who is the father of the petitioners 1 and 3 and the husband of the second petitioner, stating that an enquiry would be conducted on 10.01.2023 at 03.00 p.m. Accordingly, he appeared before the first respondent on the said date; however, no enquiry was conducted by the first respondent as mentioned in the notice dated 05.01.2023. While so, the third respondent passed the impugned order.

3. When questioned, the learned Government Advocate appearing for the respondents, on instructions, fairly submitted that the rival claimants were not put on notice prior to the passing of the impugned order.



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4. A perusal of the impugned order does not indicate that the rival claimants were afforded an opportunity to present their case before it was passed.

5. For the above reason, the impugned order deserves to be set aside. Accordingly, it is set aside. The third respondent shall issue notice to the petitioners, the rival claimants, 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 them, and pass appropriate orders on merits and in accordance with law, within a period of sixteen weeks from the date of receipt of a copy of this order.

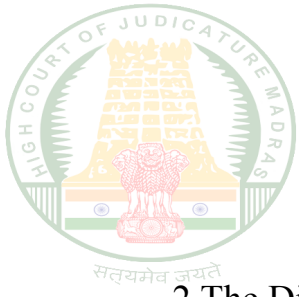
6. Accordingly, the Writ Petition stands disposed of. No costs.

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
18.02.2026

To:-

1.The District Collector,
Sivagangai,
Sivagangai District.



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2.The District Revenue Officer,
Sivagangai,
Sivagangai District.

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