

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.22349 of 2015
M.P.Nos.1 and 2 of 2015

Mr.S.Natarajan

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by Tahsildar,
Maduravoil, Thiruvallur District.

2.Mr.M.Karunakaran

.. Respondents

Prayer: Petition is filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the proceedings bearing No.2183/14 TK8A/479/1424 dated 04.12.2014 and quash the same and cancel the patta No.618 dated 15.07.2014 in survey No.86/2C and the patta bearing No.638 dated 04.12.2014 in survey No.86/2C3 of the first respondent.

For Petitioner .. Mr.K.Elangoo

For Respondents .. Mr.S.Diwakar,
Addl. Government Pleader for R1
Mr.C.Prabakaran for R2

ORDER

It is seen from the records that without hearing the parties, a joint patta has been given by the first respondent in favour of the petitioner and the second respondent. Again a separate patta has been issued in favour of the second respondent without hearing the petitioner. The subsequent patta dated 04.12.2014 given in favour of the second respondent is challenged before this Court.

2. The orders dated 15.07.2014 and 04.12.2014 have been passed by the first respondent without hearing the parties. The dispute between the parties in Survey Nos.86/2C and 86/2C3 are covered by patta Nos.618 and 638 dated 15.07.2014 and 04.12.2014 respectively. Though the learned counsel appearing for the second respondent wanted to make submission on merits,

this Court is not inclined to go into the same since admittedly the petitioner has not been heard before passing the impugned orders. Therefore, the said orders are hereby set aside and the first respondent is directed to afford an opportunity of hearing to the petitioner and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CSIII)

dt:02/11/2015

True Copy

Sub-Assistant Registrar

raa
To

The Tahsildar,
State of Tamil Nadu,
Maduravoil, Thiruvallur District.

+1 cc to M/S.K.Elango Advocate sr.57949
+1 cc to M/S.C.Prabakaran Advocate sr.58026

W.P.No.22349 of 2015

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सत्यमेव जयते

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