

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2015

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.24567 of 2012

1. S.Jaishankar
2. S.Muruganandam ... Petitioners

Vs.

1. Revenue Divisional Officer
Ariyalur, Ariyalur District
2. The Tahsildar
Ariyalur Taluk
Ariyalur District
3. C.Saminathan ... Respondents

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 13.3.2012 Ref.Na.Ka.A5/628/2012 passed by the first respondent and quash the same and consequently direct the respondents to restore the patta No.1535 issued in favour of the petitioners in respect of their land in survey no.359/1A measuring 11 ares (27 cents) at Kovilur village Ariyalur Taluk & District.

For petitioner : Mr.A.V.Raja

For respondents : Mr.R.Ravichandran
AGP for R1 and R2
No Appearance for R3

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O R D E R

Heard the learned counsels appearing for the parties concerned.

2. The main contention of the learned counsel appearing for the petitioners is that the patta, which was in the names of the petitioners, had been cancelled, by the Revenue Divisional Officer, Ariyalur, the first respondent herein, without issuing any notice to the petitioners.

3. The said submissions made by the learned counsel appearing for the petitioners had not been refuted in the counter affidavit filed by the second respondent. In such circumstances, the impugned order passed by the first respondent, dated 13.3.2012, is set aside and the first respondent is directed to pass appropriate orders, with regard to the issuance of patta, in respect of the land in survey No.359/1A, at Kovilur village, Ariyalur, after giving an opportunity of hearing to the petitioners, the third respondent and the other persons concerned, if any, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is ordered accordingly. No costs. Connected M.P.No.1 of 2012 is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To:

1. Revenue Divisional Officer
Ariyalur, Ariyalur District
2. The Tahsildar
Ariyalur Taluk
Ariyalur District

+1cc to Mr.A.V.Raja, Advocate, S.R.No.58181

+1cc to the Government Pleader, S.R.No.58612

W.P.No.24567 of 2012

SVI (CO)
CA(06/11/2015)

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