



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.06.2015

CORAM

THE HONOURABLE **MR.JUSTICE R.MAHADEVAN**

W.P (MD) .No.9310 of 2015
and
M.P. (MD) .No.1 of 2015

S.Kumar ... Petitioner

Vs

1.The District Collector,
Pudukkottai.

2.The Revenue Divisional Officer,
Pudukkottai.

3.The Tahsildar,
Thirumayam,
Pudukkottai District.

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call for the records of the third respondent in his proceedings in Na.Ka.No.5657/2015/A1 dated 28.05.2015 and quash the same as of no legal consequence and direct the third respondent not to interfere with the possession of the properties by the petitioner.

For petitioner : Mr.V.Singan

For respondents : Mr.N.Manoharan
Spl.Govt.Pleader take notice

ORDER

The petitioner has come forward with this Writ Petition praying for a Writ of Certiorarified Mandamus to call for the records of the third respondent in his proceedings in Na.Ka.No.5657/2015/A1 dated 28.05.2015 and quash the same as of no legal consequence and direct the third respondent not to interfere with the possession of the properties by the petitioner.

2. Mr.N.Manoharan, learned Spl.Govt.Pleader takes notice for the respondents 1 and 2.

3. By consent, this Writ Petition itself is taken up for final disposal.



for the landless poor people. He further would submit that right from the year 1999, the petitioner complies with all the conditions stipulated thereon and at any point of time, the petitioner did not violate the conditions, as alleged by the respondents.

5. The learned Spl.Govt.Pleader appearing for the respondents would submit that first of all it is only a notice and the petitioner has been intimated that the land should not be put to use other than the purpose which meant for.

6. However, this Court does not incline to go into the merits of the case. This Court directs that the order impugned may be treated as a notice to which the petitioner shall give an objection with all documentary evidences, within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent shall give an opportunity of hearing to the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of six weeks, thereafter. While passing orders, the third respondent bear in mind that he shall not be influenced by any of the findings available in the notice.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector, Pudukkottai.

2.The Revenue Divisional Officer, Pudukkottai.

3.The Tahsildar, Thirumayam, Pudukkottai District.

+1cc to Special Government Pleader in SR.No. 29776.

TS/18.06.2015/2P -5C

W.P (MD) .No.9310 of 2015

10.06.2015