



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P(MD)Nos.12310 to 12312 of 2015
and M.P. (MD) Nos.2, 2 and 2 of 2015
and W.M.P. (MD) Nos.9467 to 9469 of 2016

S.Eswaran
petitions

... Petitioner in all

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tashildhar,
Ottanchatram Taluk,
Dindigul District.

3.R.Kumaresan

4.G.Vijayasekar

5.K.Dhanalakshmi

6.R.Sagunthala

petitions

... Respondents in all

Common Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned order passed by the 2nd respondent in his proceedings PTR.R.30/15/8A153/1424/20-20, PTR.RT.30/15/8A153/1424/20-20 and PTR.RTR.30/15/8A153/1424/20-20, respectively dated 30.01.2015 and to quash the same as illegal and in violation of principles of natural justice and the provisions of the Tamilnadu Patta Passbook Act, 1983.

For Petitioner : Mr.B.Saravanan

For Respondents : Mr.V.Muruganandam

1 & 2

Additional Government Pleader

For Respondents : Mr.N.Shanmuga Selvam

4 to 6

COMMON ORDER

Challenging the order passed by the second respondent in PTR.R.30/15/8A153/1424/20-20 dated 30.01.2015, issuing joint patta in favour of the petitioner and the respondents 3 to 6, the



petitioner has come forward with these writ petitions.

2. According to the learned counsel for the petitioner, the Tashildhar, Ottanchatram Taluk, without conducting any enquiry, passed the impugned order, granting joint patta in favour of respondents 3 to 6 along with the petitioner.

3. Heard the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 4 to 6 on the said submissions.

4. A perusal of the impugned order would show that no enquiry was conducted before passing the order. Hence, without going into the merits of the case of the parties, these Writ Petitions are allowed and the impugned order dated 30.01.2015 is set aside and the matter is remanded to the second respondent. The second respondent is directed to issue notice to all the interested persons in the survey number in question and to conduct an enquiry and thereafter, pass orders issuing patta based on the title of the respective parties within a period of six weeks from the date of receipt of a copy of this order. The petitioner and respondents 3 to 6 are directed cooperate with the second respondent for the enquiry. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District, Dindigul.

2. The Tashildhar,
Ottanchatram Taluk, Dindigul District.

+1 cc to The Special Government Pleader in SR.No.78993

+1 cc to M/s. B.Saravanan, Advocate in SR.No.78273

sj

CSL/PV/23.12.2016 :2P/5C

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and M.P. (MD) Nos.2, 2 and 2 of 2015
and W.M.P. (MD) Nos.9467 to 9469 of 2016
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