

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 25.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN****W.P. (MD) No.8815 of 2013****and****M.P. (MD) .Nos.1 of 2013 and 1 of 2015**

Paramasivam

... Petitioner

Vs.

1. The District Revenue Officer,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Madurai.
3. The Thasildhar,
Madurai North Taluk,
Madurai District.
4. Murugan
5. Chelliah

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the order of the first respondent made in Mu.Mu.No.22107/11/G5, dated 20.10.2012 and its consequential order passed by the second respondent in Mu.Mu.No.7193/2012/N, dated 03.04.2013 and quash the same as it is arbitrary and illegal.

For Petitioner	: Mr.R.Surianarayanan
For R1 to R3	: Mr.V.Muruganandam Additional Govt. Pleader
For R4 & R5	: Mr.R.Sevugaraja

O R D E R

The writ petition has been filed challenging the order of the first respondent in Mu.Mu.No.22107/11/G5, dated 20.10.2012 and its consequential order of the second respondent in Mu.Mu.No.7193/2012/N, dated 03.04.2013 and quash the same.



2. The main contention raised by the petitioner is that the first respondent, without conducting any enquiry and giving any reason, passed an order cancelling the Patta and based on the order passed by the first respondent, the second respondent / the Revenue Divisional Officer, Madurai also passed an order dated 03.04.2013.

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3. Today, the District Revenue Officer, Madurai also present before this Court along with records.

4. From perusal of the records, this Court could not find anything regarding any enquiry being conducted by the first respondent before passing the impugned order.

5. In view of the same, without going into the merits of the matter, the order passed by the first respondent and the second respondent are set aside, on the ground of violation of principles of natural justice and the matter is remanded back to the first respondent and the first respondent is directed to issue notice to the parties concerned and conduct enquiry, after giving an opportunity to the petitioner as well as the respondents 4 and 5, and pass a detailed, reasoned order, considering the objection of the parties.

6. The above said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

akv

To

1. The District Revenue Officer, Madurai District,
Madurai.

2. The Revenue Divisional Officer, Madurai.

3. The Thasildhar, Madurai North Taluk,
Madurai District.

+1CC to Mr.R.Sevugaraja, Advocate Sr.No.63644

+1CC to Spl.Government Pleader Sr.No.64216

GJM/DB/16.11.16-2p-6c

W.P. (MD) No.8815 of 2013
25.10.2016