



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 13.07.2017

CORAM

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.A. (MD) No.947 of 2017
and
C.M.P. (MD) .No.6390 of 2017

V.Syamprakasam

... Appellant

Vs.

1. R.Narasiman

2. The District Registrar,
Kumbakonam Registration District,
Kumbakonam,
Tanjore District.

3. The Sub Registrar,
Swamymalai Sub Registrar Office,
Kumbakonam,
Tanjore District.

4. R.Meenachi

... Respondents

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent, praying to set aside the order dated 21.02.2017 passed in W.P.(MD) No.6090 of 2012 on the file of this Court.

Prayer in WP(MD) . 6090/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARI, to call for the records of the impugned cancellation order passed in No.3080/Aa/2011, dated 26-03-2012 by the 1st Respondent and quash the same is illegal.

For Appellant : Mr.AR.L.Sundaresan
Senior Counsel for
AL. Ganthimathi

For R1 : Mr.G.PrabhuRajaDurai
for Mr.M.Suresh

For R2 and R3 : Mr.T.R.Janarthanan
Additional Government Pleader

**JUDGMENT****[Judgment of the Court was delivered by M.M.SUNDRESH, J.]**

By consent, the writ appeal itself is taken up for final disposal.

2. Heard Mr.AR.L.Sundaresan, learned Senior Counsel appearing for the petitioner, Mr.G.Prabhurajadurai, learned counsel appearing for the first respondent and Mr.T.R.Janarthanan, learned Additional Government Pleader appearing for the respondents 2 & 3.

3. Though the impugned order is to be predicated on very many grounds, a perusal of the impugned order would show that the appellant has not been heard. The order also does not show the name of the appellant, who was the respondent in the writ petition. It appears that the counter affidavit has also been filed.

4. In such view of the matter, the writ appeal is allowed and the impugned order is set aside and the writ petition is remitted back to the learned single Judge who deals with the case. The Registry is directed to place the writ petition before the appropriate Bench to be heard afresh on merits. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Registrar,
Kumbakonam Registration District,
Kumbakonam, Tanjore District.
2. The Sub Registrar,
Swamymalai Sub Registrar Office,
Kumbakonam, Tanjore District.

Copy To:-

The Section Officer, Writ Section,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO M/s.A.L.GANDHIMATHI, ADVOCATE IN SR No. 65335
+ 1 CC TO Mr.M.SURESH, ADVOCATE IN SR No. 65911
AM/SSS

TE/JC/SAR-I : 31/07/2017 : 2P/6C
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