



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.05.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

WEB COPY

W.P. (MD) No.10063 of 2017 and
W.M.P. (MD) Nos.7721 & 7722 of 2017

G.Subba Reddy

... Petitioner

Vs.

1.The Commissioner of Land Administration,
Ezhilagam,Chepauk,
Chennai-600 005.

2.The Commissioner of Survey and Settlement,
Ezhilagam,Chepauk,
Chennai-600 005.

3.The District Collector,
Madurai District,
Madurai.

4.The Assistant Settlement Officer,
Madurai District,
Madurai.

5.The Revenue Divisional Officer,
Madurai District,
Madurai.

6.The Thasildhar,
Thiruparankundram Taluk,
Madurai District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the sixth respondent vide., proceedings Ref.Na.Ka.No.1796/2014/B dated 03.09.2014, quash the same and consequently direct the sixth respondent to implement the orders of the second respondent vide his proceedings in Na.Ka.6819/2011 (E1), dated 27.02.2012.

For Petitioner : Mr.V.S.Kishok Kumar

For Respondents : Mrs.S.Bharathi
Government Advocate

**O R D E R**

This petition has been filed, seeking to quash the impugned order dated 03.09.2014 passed by the 6th respondent in Ref.Na.Ka.No.1796/2014/B. The petitioner also sought a direction to the sixth respondent to implement the orders of the second respondent vide his proceedings in Na.Ka.6819/2011 (E1), dated 27.02.2012.

2. Heard the learned counsel on either side.

3. Though several points have been urged by the petitioner in the affidavit filed in support of this petition to challenge the impugned order, the main ground canvassed by the petitioner is that the impugned order has been passed without giving an opportunity of hearing to the petitioner, thereby there is a violation of principles of natural justice and therefore, on that sole ground, the impugned order is liable to be set aside.

4. In view of the above and finding force in the contention raised by the petitioner, this writ petition is allowed and the impugned order dated 03.09.2014 passed by the 6th respondent is set aside. The matter is remitted to the 6th respondent for fresh consideration, who in turn shall pass orders within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To:

1.The Commissioner of Land Administration,
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Chennai-600 005.

2.The Commissioner of Survey and Settlement,
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3.The District Collector,
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5.The Revenue Divisional Officer,
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6.The Thasildhar,
Thiruparankundram Taluk,
Madurai District.

+1cc to M/S.The Special Government Pleader,SR.57901

W.P. (MD) No.10063 of 2017
26.05.2017

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