



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:20.07.2017
CORAM:
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
W.P. (MD) No.13472 of 2017

WEB COPY

N.Rajamanickam

...Petitioner

-Vs-

1.The Tahsildar,
Boothalur Taluk,
Thanjavur District.

2.The Village Administrative Officer,
Chithirakudi Muthanmai,
Chithirakudi, Boothalur Taluk,
Thanjavur District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the first respondent in No.Na.Ka.81/2017/A1, dated 02.06.2017 and quash the same and further direct the 1st respondent to give appropriate drought relief fund to the petitioner.

For Petitioner	: Mr.S.Karthick Subramanian
For Respondents	: Mr.A.Muthukaruppan, Additional Government Pleader.

ORDER

The petitioner has come up with the present Writ Petition for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the first respondent in No.Na.Ka.81/2017/A1, dated 02.06.2017 and quash the same and further direct the 1st respondent to give appropriate drought relief fund to the petitioner.

2.The learned Counsel appearing for the petitioner would submit that the petitioner is a poor agriculturalist and he is owning a land an extent of 4 Acres in Chithirakudi Village, Boothalur Taluk, Thanjavur District. Due to monsoon failure, he suffered huge loss, so he approached the respondents seeking drought relief fund.

3.The learned Counsel further submitted that the respondents without evaluating the loss suffered by the petitioner and also without providing opportunity of hearing, passed the Impugned order. The learned Counsel further submitted that it is against the principles of natural justice. Hence the present Writ petition has been filed.



4. Heard Mr.S.Karthick Subramanian, learned Counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the petitioner and perused the materials available on records.

5. It is seen that the respondents have rejected the application of the petitioner without evaluating the loss suffered by him and also they did not give opportunity before passing the impugned order.

6. In the light of above facts and to meet the ends of justice, the impugned order is set aside and the case is remanded back to the first respondent. The first respondent shall consider the grievance of the petitioner and pass a fresh order on merits and in accordance with law, after providing opportunities to necessary parties 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.

Sd/-

Assistant Registrar(AD-II)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1. The Tahsildar,
Boothalur Taluk,
Thanjavur District.

2. The Village Administrative Officer,
Chithirakudi Muthanmai,
Chithirakudi, Boothalur Taluk,
Thanjavur District.

+1cc to M/S.S.KARTHICK SUBRAMANIAN, Advocate SR.No.67015

+1cc to Special Government Pleader, SR.No. 67122

msa/smi

MAS/KP/SAR2:07.08.2017:2P-5C

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