



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 31.01.2017

CORAM

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.1517 of 2017

and

W.M.P (MD) Nos.1236 and 1237 of 2017

T.Thirumalairaj

..Petitioner

Vs

1.The District Collector,
Dindigul District,
Dindigul.

2.The Sub-Collector,
Palani,
Dindigul District.

3.The Tahsildar,
Oddanchathiram Taluk,
Dindigul District.

4.K.Kanaharaj

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the impugned proceedings issued by the second respondent in Na.Ka.No.5654/15/.A6, dated 18.1.2017 and to quash the same and to direct the third respondent to conduct fresh survey of the S.Nos.151 and 170/1 of Vadakadu Village with regard to the 2-C patta in the presence of the Petitioner.

For Petitioner	:M/s.M.Kumar
For Respondents	:Mr.A.Muthukaruppan
1 to 3	Addl.Govt.Pleader

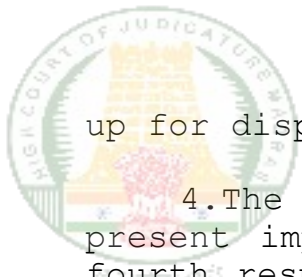
ORDER

This Writ Petition is filed challenging the show-cause/enquiry notice issued to the Petitioner calling upon him to show-cause as to why 2-C patta issued in his name cannot be cancelled and also to appear for an enquiry on 23.1.2017.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents 1 to 3.

<https://hcservices.ecourts.gov.in/hcservices/>

3.By consent of both parties, the main Writ Petition is taken



up for disposal, at the admission stage itself.

4.The learned counsel for the Petitioner submitted that the present impugned notice came to be issued at the instance of the fourth respondent, who is not having any right or claim over the subject-matter 2-C patta.

5.Perusal of the impugned notice shows that the same came to be issued in pursuant to an order passed by this Court in W.P.No.19581 of 2013 and therefore, it is for the Petitioner to appear before the second respondent and make all his objections. Without doing so, challenging the notice cannot be entertained. Needless to say that so long as the authority who issued the notice is having jurisdiction and when this Court also finds that nothing is erroneous on the face of the show-cause notice, the same cannot be interfered with by this Court, by entertaining the present Writ Petition challenging the same.

6.Accordingly, the Writ Petition is dismissed, with liberty to the Petitioner to appear before the second respondent on the adjourned date of hearing and make all his objections. Needless to say that if the objections are filed by the Petitioner, it is for the second respondent to consider such objections and pass orders on the same, on merits and in accordance with law, after hearing the parties concerned. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Sub-Collector,
Palani,
Dindigul District.
- 3.The Tahsildar,
Oddanchathiram Taluk,
Dindigul District.

+1cc to M/S Special Government Pleader, Sr No. 5331
MAS/SV-MMS:13.02.2017:2P/5C

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and

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