



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 06.09.2017
CORAM

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

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W.P (MD) No.16817 of 2017
and
W.M.P (MD) No.13418 of 2017

P.Muthaiah Chettiar

..Petitioner

Vs

- 1.The District Collector,
Pudukkottai, Pudukkottai District.
- 2.The District Revenue Officer,
Collectorate, Pudukkottai,
Pudukkottai District.
- 3.The Revenue Divisional Officer,
Illuppur Revenue Division,
Illuppur, Pudukkottai District.
- 4.The Tahsildar,
Ponnamaravathy,
Ponnamaravathy Taluk,
Pudukkottai District.
- 5.The Assistant Settlement Officer(North),
Director of Land Survey and Settlement,
Cheppakkam, Chennai-5.
- 6.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Pudukkottai District.
- 7.Udaiyaperati Amman Temple,
represented by its Trustee,
Ponnamaravathi and Taluk,
Pudukkottai District.
- 8.Raja
- 9.M.M.Natarajan
- 10.L.Palraj



12.A.Thanenthiran

13.Malayandi

14.Pitchai Pattar

15.Alagappan Pattar

16.Sethuraman Pattar

17.Nagarajan Pattar

18.Chidhambaram

19.Sakthivel Pattar

20.Subramanian Pattar

21.Arun Kumar

22.Baskaran Pattar

23.Ivatham

24.Sethu Pattar

25.Gopalakrishnan

26.Palaniyappan Pattar

27.Arumugam Pattar

28.Selvam Pattar

29.Karu.Sekar Pattar

30.Muthaiah Pattar

..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 relating to the impugned proceeding of the 5th respondent in Na.Ka.U(1)/1444/2015 dated 3.8.2017 and to quash the same and further to direct the fifth respondent to conduct the enquiry in respect of S.No.628/2,4, measuring an extent of 0.83 cents as claimed by respondents 9 to 12 alone in the light of direction of this Court in W.P.No.7785 of 2010 and 1428 of 2015, dated 24.3.2017.

**ORDER**

Mr.A.Muthukaruppan, learned Additional Government Pleader, takes notice for the respondents 1 to 6.

2.By consent, the main Writ Petition is taken up for disposal, at the admission stage itself.

3.Pursuant to the order of this Court in W.P.No.7785 of 2010 and batch, dated 24.3.2017, the fifth respondent herein issued the impugned notice for enquiry. Challenging the enquiry notice, the present writ petition is filed.

4.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 to 6 and perused the materials available on record.

5.The learned counsel for the Petitioner would submit that the petitioner has filed an application for impleading himself in the proceedings before the fifth respondent and the said application is still pending. It is further submitted that he is a necessary party and he is having interest in the out come of the order to be passed by the fifth respondent. Hence, the petitioner can be given opportunity to participate in the enquiry conducted by the fifth respondent.

6.In the light of the above facts, this court, without going into the merits of the matter, directs the fifth respondent to provide an opportunity to the Petitioner, if he is a necessary party to the said proceedings and pass orders in accordance with law, as per direction issued by this Court in the earlier Writ Petitions in W.P(MD)No.7785 of 2010 and batch, dated 24.3.2017.

7.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The District Revenue Officer,
Collectorate, Pudukkottai,
Pudukkottai District.



3.The Revenue Divisional Officer,
Illuppur Revenue Division,
Illuppur, Pudukkottai District.

4.The Tahsildar,
Ponnamaravathy,
Ponnamaravathy Taluk,
Pudukkottai District.

5.The Assistant Settlement Officer(North),
Director of Land Survey and Settlement,
Cheppakkam, Chennai-5.

6.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Pudukkottai District.

+1cc to M/S.D.PARISUTHANATHAN, Advocate SR.No.77152
+1cc to Special Government Pleader, SR.No.77699

vsn/er

MAS/JC/SAR3:13.09.2017:4P-9C

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