



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.03.2017
CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.5037 of 2017
and
W.M.P(MD)No.4110 of 2017

Dharmaraj .. Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Kamudhi Taluk,
Kamudhi,
Ramanathapuram District.

3.The Revenue Inspector,
Kamudhi East,
Ramanathapuram District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records of the impugned order passed by the second respondent in his proceedings in Na.Ka.A4/10258/2017, dated 15.03.2017 and quash the same.

For Petitioner : Mr.P.Banuprasath

For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the proceedings dated 15.03.2017 passed in Na.Ka.A4/10258/2017 by the second respondent and quash the same, by way of issuing a Writ of Certiorari.



2. Mr. T.S. Mohammed Mohideen, learned Additional Government Pleader, has taken notice for the respondents.

3. The learned counsel appearing for the petitioner has contended that in the order passed in W.P(MD)No.24359 of 2016, it has been specifically directed the second respondent to consider the representation dated 05.12.2016 and dispose of the same on merits within a period of fifteen days. But the second respondent, even without considering the specific order passed by this Court, has simply issued the proceedings dated 15.03.2017 and the same is illegal. Under the said circumstances, for quashing the same the present Writ Petition has been filed.

4. The learned Additional Government Pleader appearing for the respondents has fairly conceded to the effect that the second respondent has not followed the specific direction given in W.P (MD)No.24359 of 2016 and therefore the impugned proceedings initiated by the second respondent is illegal.

5. Considering the fact that the second respondent has not followed the specific direction given by this Court in W.P(MD) No.24359 of 2016, this Court is of the view that the impugned proceedings passed by the second respondent in Na.Ka.A4/10258/2017 is liable to be quashed.

6. In fine, this Writ Petition is allowed without costs and the impugned proceedings, dated 15.03.2017 passed in Na.Ka.A4/10258/2017 by the second respondent is quashed. However, the second respondent is directed to look into the earlier order passed in W.P(MD)No.24359 of 2016. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Tahsildar,
Kamudhi Taluk,

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

Ramanathapuram District.



3.The Revenue Inspector,
Kamudhi East,
Ramanathapuram District.

+1cc to Mr.P.Banu Prasath, Advocate, SR.No:17178

+1cc to Special Government Pleader, SR.No:17630

ps

AE/SKN/SAR4/27.03.2017/2P/6C

**ORDER MADE IN
W.P (MD) No.5037 of 2017
23.03.2017**