



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **19.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5631 of 2017

and

W.M.P.(MD)No.4512 of 2017

Muthuvel

.. Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.

3.The Tahsildar,
Peravurani Taluk,
Thanjavur District.

4.The Revenue Inspector,
Peravurani Taluk,
Thanjavur District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records pertaining to the impugned order dated 17.02.2017 in Na.Ka.1056/2016/A6 on the file of the respondent No.2 herein and quash the same as illegal, since the respondent No.2 herein had not adhered to settled principles of natural justice and passed the impugned order without jurisdiction.

For petitioner
For respondents

: Mr.S.Rajasekar
:Mr.M.Govindan
Special Government Pleader

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

Aggrieved by the order passed by the Tahsildar, in the first instance, a statutory appeal was preferred by the Writ Petitioner. The statutory appeal, in the normal course of events, was disposed of by the District Collector, who is the competent Authority.



2. However, in the instant case, the Revenue Divisional Officer, Pudukottai disposed of the appeal, which is patently without jurisdiction. On this ground, we quash the impugned order dated 17.02.2017, passed by the second respondent and remit the matter to the file of the first respondent. The first respondent shall hear the Writ Petitioner and pass appropriate orders in accordance with law.

3. The Writ Petition is allowed with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
ASSISTANT REGISTRAR (CS-III)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1. The District Collector,
Thanjavur District, Thanjavur.
2. The Revenue Divisional Officer,
Pattukottai, Thanjavur District.
3. The Tahsildar,
Peravurani Taluk, Thanjavur District.
4. The Revenue Inspector,
Peravurani Taluk, Thanjavur District.

+1 CC TO MR. T. LAJAPATHI ROY, ADVOCATE, SR NO. 66504

+1 CC TO THE SPECIAL GOVERNMENT PLEADER SR NO. 66953

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MAS/KP/SAR2:27.07.2017:2P-7C

W.P. (MD) No. 5631 of 2017
19.07.2017