

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 24.05.2017

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN**W.P. (MD) No.9700 of 2017****and****W.M.P. (MD) No.7452 of 2017**

T.Sundarapandian

... Petitioner

Vs.

The Thasildhar,
Srivaikundam Taluk,
Srivaikundam,
Tuticorin.

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari filed Mandamus to call for the records relating to the impugned order of the respondent in Na.Ka.A6-6177-2017 dated 06.03.2017 and quash the same consequently direct the respondent to record the petitioner's name as occupier in the Village Natham Adangal Register for the Natham Land comprised in Natham Old S.No.816/3 part, New S.No.866/20 measuring an extent of 6.10 cents, 11.86 cents and 5.75 cents in Seithunganallur village of Srivaikundam Taluk, Tuticorin District.

For Petitioner : Mr.H.Arumugam.
For Respondent : Mr.K.P.Krishnadas,
Government Advocate.

O R D E R

This petition has been filed, seeking to quash the impugned order dated 06.03.2017 passed by the respondent in his proceedings in Na.Ka.A6-6177-2017. The petitioner also sought a direction to the respondent to record the petitioner's name as occupier in the Village Natham Adangal Register for the Natham Land comprised in Natham Old S.No.816/3 part, New S.No.866/20 measuring an extent of 6.10 cents, 11.86 cents and 5.75 cents in Seithunganallur village of Srivaikundam Taluk, Tuticorin District.

2. Heard the learned counsel on either side.

3. Though several points have been urged by the petitioner in the affidavit filed in support of this petition to challenge the



impugned order, the main ground canvassed by the petitioner is that the impugned order has been passed without giving an opportunity of hearing to the petitioner, thereby there is a violation of principles of natural justice and therefore, on that sole ground, the impugned order is liable to be set aside.

4. In view of the above and also finding force in the contention raised by the petitioner, this writ petition is allowed and the impugned order dated 06.03.2017 passed by the respondent is set aside. The matter is remitted to the respondent for fresh consideration, who in turn shall pass orders within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

The Thasildhar,
Srivaikundam Taluk,
Srivaikundam, Tuticorin.

+1cc to M/S. H.ARUMUGAM, Advocate, SR.No.57542.
+1cc to Special Government Pleader, SR.No.57685.

W.P. (MD) No.9700 of 2017
and
W.M.P. (MD) No.7452 of 2017
24.05.2017

SRM/GNS/RMI
SDS/SKN:RSK/SAR 4/24.07.2017/2P/4C