

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2018

CORAM:

THE HON'BLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.38427 of 2003

K.S.Sundaram

... Petitioner

Vs.

The District Collector,
Kancheepuram District,
Kancheepuram.

.... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, call for the records of the respondent's notice bearing Rc.1360/95/Q1 dated Nil-11-2003 pertaining to the sand quarry measuring 108-00-0 Hectares, comprised in Survey No.175 situated in Udayambakkam Village, Chengalpattu Taluk, Kancheepuram District and quash the same.

For Petitioner:M/s.M.Muthappan

For Respondent:Mr.M.Elumalai
Government Advocate

O R D E R

Challenging the Order passed by the respondent dated Nil.11.2003 in and by which, the petitioner was directed to remit the entire arrears ie., difference in lease amount over and above the previous lease amount within 15 days from the date of receipt of copy of this Order, the present writ petition is filed.

2. On a perusal of the impugned passed by the respondent dated Nil November 2003, it is seen that before passing the order, no opportunity was given to the writ petitioner. Therefore, the impugned order has been passed violating the principles of natural justice, hence, the impugned Order passed by the respondent is liable to be set aside.

3. In the result, the Writ petition is allowed by setting aside the impugned order R.C.1360/95-Q1 dated Nil-November 2003 passed by the respondent. No costs. The respondent is directed to afford an opportunity of hearing to the petitioner and pass orders on merits and in accordance with law.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vv

To

The District Collector,
Kancheepuram District,
Kancheepuram.

+1cc to Mr.M.Muthappan, Advocate sr.40057
+1cc to the Government pleader sr.40997

W.P.No.38427 of 2003

spd[co]
srg 24/07/2018

सत्यमेव जयते

WEB COPY