



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.2326 of 2018

and

W.M.P (MD) No.2526 of 2018

K.Muthuraman

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Collectorate Building,
Thiruppathur Road,
Sivagangai 630 561.

2.The District Revenue Officer,
Collectorate Building,
Thiruppathur Road,
Sivagangai 630 561.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Majith Road, Sivagangai 630 561.

4.The Tahsildar,
Sivagangai Taluk Office,
Market Road,
Sivagangai 630 561.

5.C.Kathaiah

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records relating to the proceedings of the 1st Respondent in Na.Ka.No. B5/10553/2017 dated 11.12.2017 and quash the same.

For Petitioner : Mr.P.Paranthaman

For Respondents 1-4 : Mr.P.Kannidevan,
Additional Government Pleader.

**ORDER**

Challenging the enquiry notice issued by the District Collector, the first respondent herein, the present writ petition has been filed.

2.Earlier, the fifth respondent herein filed an application before the Revenue Divisional Officer to cancel legal heir certificate issued in favour of the petitioner and others in respect of the deceased one V.Kamatchi and the same has been rejected by the Revenue Divisional Officer. Against that an appeal has been filed before the District Revenue Officer. Now, the first respondent has issued a notice directing the petitioner to appear for enquiry. Challenging the same, the present writ petition has been filed.

3.Learned counsel appearing for the petitioner submitted that as per the order passed by the Revenue Divisional Officer, only, the District Revenue Officer is the appellate authority and the District Collector, has no jurisdiction. But the order impugned in the writ petition is only enquiry notice on the appeal filed by the fifth respondent. Further, the learned counsel for the petitioner is unable to substantiate his contention that the District Collector has no authority to issue such notice.

4.In the above circumstances, if the petitioner has got any grievance over such notice, it is always open to him to appear before the District Collector and raise his objections and the same shall be considered by the first respondent. Accordingly, the writ petition is dismissed. No costs. Consequently, W.M.P(MD)No.2526 of 2018 is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/



To

1. The District Collector,
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Thiruppathur Road,
Sivagangai 630 561.
2. The District Revenue Officer,
Collectorate Building,
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Sivagangai 630 561.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Majith Road,
Sivagangai 630 561.
4. The Tahsildar,
Sivagangai Taluk Office,
Market Road,
Sivagangai 630 561.

+1cc to M/S.P.PARANTHAMAN, Advocate SR.No.46473.
+1cc to Special Government Pleader in SR.No.46935.

Writ Petition (MD) No.2326 of 2018
06.02.2018

sms

SDS/MR/SAR 3/19.02.2018/3P/7C