



2. Heard Mr.T.Lajapathi Roy, learned counsel appearing for the petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader appearing for the respondents.

3. According to the petitioner, when similar demand notice was issued to the petitioner he has challenged the same before this Court by filing W.P.(MD)No.12955 of 2010. This Court, by an order dated 08.03.2017 disposed of the said writ petition directing the Secretary, Department of Revenue Administration, Government of Tamil Nadu to consider the exchange proposal made by the petitioner within a period of eight weeks from the date of receipt of a copy of the order. The relevant portion of the said order reads as follows:

"5. In the light of the above, there will be a direction to the Secretary, Department of Revenue Administration, Government of Tamil Nadu to consider the exchange proposal made by the petitioner within a period of eight weeks from the date of receipt of a copy of this order. The petitioner shall also forward the copy of the representation dated 20.04.2010 along with the other material papers to the Government by registered post for reference. Till such time, the exchange proposal is considered and decided by the Government the demand made in the impugned order dated 21.01.2010 shall not be enforced. This writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed."

4. Learned counsel appearing for the petitioner submitted that when specific direction was issued to the first respondent directing the first respondent to consider the proposal of the petitioner, the fourth respondent has passed the impugned order rejecting the request of the petitioner without following the order passed by this Court.

5. On a perusal of the earlier order passed by this Court in W.P.(MD)No.12955 of 2010, this Court only directed the first respondent to consider the proposal of the petitioner and pass orders. Therefore, the fourth respondent cannot pass any order which is against the order passed by this Court. In the above circumstances, the order impugned in the writ petition is liable to be set aside.

6. In the result, the writ petition is allowed and the order passed by the fourth respondent dated 27.10.2017 is set aside. Consequently, the first respondent is directed to consider the proposal of the petitioner and pass appropriate orders, as per the orders passed by this Court in W.P.(MD)No.12955 of 2010, within a period of eight weeks from the date of receipt of a copy



of this order. No costs. Consequently, W.M.P(MD)No.480 of 2018 is closed.

Sd/-
Assistant Registrar(CO)

WEB COPY

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
Government of Tamil Nadu,
Department of Revenue Administration,
Secretariat,
Chennai.
2. The District Collector,
District Collectorate,
Dindigul.
3. The Revenue Divisional Officer,
Palani,
Dindigul District.
4. The Tahsildar,
Oddanchatiram,
Dindigul District.

+ 1 cc TO Mr.T.Lajapathi Roy , Advocate in SR No. 41575
+ 1 cc TO The Special Government Pleader in SR No. 42289

sms

AE/KK/SAR2/24.01.2018/3P/7C

Writ Petition (MD) No.480 of 2018
and
W.M.P (MD) No.480 of 2018
10.01.2018