



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 04.01.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD) No.2297 of 2016

and

M.P. (MD) Nos.2014 & 2015 of 2016

1. M.A.Amanullah,
S/o. Abdul Hameed,
No.248, Annaizihuthan Kulam Street,
Pattukottai,
Thanjavur District.
 2. Mohamed Jaarfarullah,
S/o, Abdul Hammed,
No.248, Annaivizhuthan Kumal Street,
Pattukottai,
Thanjavur District.
 3. Thambiappa,
S/o Abdul Hameed,
No.248, Annaivizhuthan Kulam Street,
Pattukottai,
Thanjavur District.
 4. Raja Mohamed,
S/o. Abdul Hameed,
No.248, Annaivizhuthan Kulam Street,
Pattukottai,
Thanjavur District.
- . . .Petitioners

-Vs-

1. The District Collector,
Thanjavur,
Thanjavur District.
2. The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
3. The Special Tahsildar,
Pattukottai,
Thanjavur District.



4. The Thasildar,
Administration of Chatram,
Mukthambalpuram Chatram Oratha Nadu,
Thanjavur,
Thanjavur District.

. . . Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari, calling for the records relating to the impugned order passed by the 2nd respondent in his proceedings in P.U.2680/2015 dated 18.10.2015 (served to the petitioner under RTI Act on 07.01.2016) and quash the same as illegal.

For petitioners	: Mr.C.Venkatesh Kumar for M/S. Ajmal Associates
For respondents	: Mr.Govindan Special Government Pleader

ORDER

The petitioners has filed this Writ Petition challenging the order dated 18.10.2015 passed by the second respondent transferring the patta in favour of one Muthalpuram Sathiram.

2.According to the petitioners the second respondent passed the impugned order transferring the patta in favour of muthalpuram Sathiram without giving any prior notice and opportunity of personal hearing to the petitioners before conduction enquiry and before passed order, and the same is violation of principles of natural justice.

3.Heard, the learned counsel appearing for the petitioners and the learned Special Government Pleader appearing for the respondents and also perused the materials carefully available on record.

4.On perusal of the records, it could be seen that the second respondent passed the impugned order without giving any prior notice and without giving any opportunity of hearing to the petitioners before conducting enquiry.

5.In the above circumstances, the order passed by the second respondent is liable to be set aside, accordingly the impugned order of the second respondent is set aside, the matter is remanded back to the second respondent and the second respondent is directed to pass orders on merits and in accordance with law after after giving opportunity and notice to the petitioners and all the concerned parties.



6. This Writ Petition is allowed accordingly. There shall be no order as to costs. Consequently, M.P.(MD)Nos.2014 & 2015 of 2016 are closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Thanjavur,
Thanjavur District.
2. The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
3. The Special Tahsildar,
Urban Land Tax Project,
Pattukottai,
Thanjavur District.
4. The Thasildar,
Administration of Chatram,
Mukthambalpuram Chatram Oratha Nadu,
Thanjavur,
Thanjavur District.

+ 1 cc TO M/S.Ajmal Associates , Advocate in SR No. 40866
+ 1 cc TO The Special Government Pleader in SR No. 40536

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AE/SKN RSK/SAR4/23.01.2018/3P/7C

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