

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2019

CORAM

THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

W.P.No. 28424 of 2007

1. Gowramma
2. Subramani
3. Gangadhar
4. Muninagamma
5. Anitha

... Petitioners

Versus

- 1.The District Collector,
Krishnagiri
- 2.The Tashildar,
Hosur

... Respondents

PRAYER:- This writ petition is filed under Article 226 of Constitution of India to issue a writ of Certiorari to call for the records on the file of 1st respondent in proceedings No.Na.Ka.12085/2007/B2, dated 09.06.2007 and quash the same as illegal, incompetent without jurisdiction.

For Petitioner : Mr. Sharath Chandran

For Respondents : Mr. N. Karthikeyan

Additional Government Pleader

सत्यमेव जयते

O R D E R

This Writ petition is filed to call for the records on the file of 1st respondent in proceedings No.Na.Ka.12085/2007/B2, dated 09.06.2007 and quash the same as illegal, incompetent without jurisdiction.

2. Heard the counsel appearing on either side and perused the material available on record.

3. By the impugned order dated 09.06.2007, the first respondent had cancelled the patta which was standing in the

names of the writ petitioners. The property in question is comprised in S.Nos. 455/1, 455/2, 455/3 and 455/4 in Mornapally village, Hosur Taluk. The petitioners have specifically pleaded in their grounds, that before passing the impugned order they were not served with any notice.

4. This writ petition was filed in the year 2009 and we are now in the year 2019, till date, no counter affidavit has been filed by the respondents and I am not inclined to grant any further time to the respondents to file their counter. A bare reading of the impugned order does not in any where indicate, that any notice was issued or served to the writ petitioner.

5. I find that there is violation of principles of Natural Justice and the impugned order, dated 09.06.2007 passed by the first respondent is quashed and this writ petition is allowed and it is open to the respondents, to initiate proceedings afresh in accordance with law. With the said liberty to the respondents, the writ petition stands allowed. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Krishnagiri.

2. The Tahsildar,
Hosur.

+1cc to Mr.V.Raghavachari, Advocate, SR.No.34532
+1cc to the Govt.Pleader, Vide Sr.No.35293

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Kak(12/07/2019)

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