



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.21500 of 2017
and
WMP (MD) No.17785 of 2017

1.Srinivasan

2.Periyathambi

... Petitioners

Vs.

1.The District Revenue Officer,
District Revenue Office, Pudukkottai.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Aranthangi, Pudukkottai District.

3.The Zonal Deputy Tahsildar,
Aavudaiyar Kovil, Pudukkottai District.

4.Chellakannu

5.C.Adaikalam

... Respondents

(R5 is impleaded vide court order
dated 02.03.2018 in WMP.19380 of 2017)

Prayer : This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in Ni.Mu.11121/14/D3, dated 29.07.2016, quash the same and consequently direct the third respondent to issue patta in favour of the petitioners for their punja land property situated in Survey No.59/1, to an extent of 10.50.0 Hectares at Eambal Village, Aavudaiyar Kovil Taluk, Pudukkottai District.

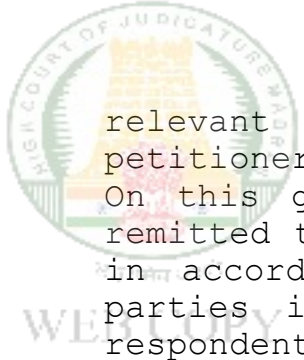
For Petitioner : Mr.K.Gokul
For R1 to R3 : Mr.M.Karuppasamy,
Government Advocate

For R5 : Mr.G.Thalaimutharasu

ORDER

Heard the learned counsel on either side.

2. The petitioners question the impugned order passed by the first respondent principally on the ground that he was not put on notice. This court had a look at the impugned order and also the



relevant file. It is seen that an order adverse to the writ petitioners came to be passed without even putting them on notice. On this ground, the impugned order is set aside. The matter is remitted to the file of the first respondent to pass orders afresh in accordance with law after putting notice on the interested parties including the writ petitioners as well as the private respondents herein within a period of three months from the date of receipt of a copy of this order.

3.It is seen that even the original authority/Tahsildar also passed an order in favour of the writ petitioners without putting the private respondents on notice. Therefore, in this case, it is seen that all the authorities have acted in clear violation of the principles of natural justice. This writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

Skm

To

- 1.The District Revenue Officer, District Revenue Office,
Pudukkottai.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office, Aranthangi, Pudukkottai District.
- 3.The Zonal Deputy Tahsildar,
Aavudaiyar Kovil, Pudukkottai District.

+1CC TO MR.K.GOKUL, Advocate Sr. No.51898
+1CC TO MR.G.THALAIMUTHARASU, Advocate Sr. No. 51913
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.51968

WP (MD) No.21500 of 2017

and

WMP (MD) No.17785 of 2017

05.03.2019

TR (08.04.2019) 2P 7C