

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.No.21883 of 2018 and
W.M.P. No.25680 of 2018

R.Sabanathan

.. Petitioner

Vs.

Authorised Officer
Revenue Divisional Officer
Vridhachalam
Vridhachalam Taluk
Cuddalore District

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records and quash the proceeding of the respondent in his A4/MR-I-10/2018 dated 24.7.2018.

For Petitioner : Mr.R.Gururaj

For Respondent : Ms.A.Madhumathi
Special Government Pleader

O R D E R

This writ petition is filed for issuing a writ of certiorari to quash the proceedings of the respondent dated 24.07.2018. By the impugned order, the respondent, after referring to the order passed by the Authorised Officer dated 30.06.1978, directed the petitioner to disclose the lands, which are to be declared as surplus.

2. A perusal of the records indicates that the order that was referred to by the respondent, while passing the impugned order, is the proceedings of the Authorised Officer under Urban Land Ceiling Act. The Authorised Officer, Land Reforms has passed an order declaring such lands as surplus in the hands of the petitioner. However the order dated 30.06.1978 was the subject matter of an appeal in L.R.C.M.A. No.66/1978 on the file of the Sub Court, Cuddalore. The appellate court set aside the order of the Authorised Officer and hence the learned counsel appearing for the petitioner submitted that the impugned order dated 24.07.2018, based on the order of the Authorised Officer, which was subsequently set aside by the Appellate Court, is not sustainable.

impugned order was passed by the respondent relying upon the order that was passed by the Authorised Officer on 30.06.1978. This order was subsequently set aside in the appeal filed by the petitioner. Hence the impugned order is not sustainable in law. The respondent has not filed any counter, explaining the mistake. Hence this court is inclined to allow the writ petition.

4. Accordingly, the writ petition is allowed and the impugned order of the respondent dated 24.07.2018 made in A4/MR-I-10/2018 is set aside. However, there is no order as to cost. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

Asr

To

Authorised Officer
Revenue Divisional Officer
Vridhachalam
Vridhachalam Taluk
Cuddalore District

+1cc to Mr.D.Baskar, Advocate, S.R.No. 15304

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GSM(CO)
GN(30/03/2021)

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