



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.27444 of 2014
and M.P.Nos.1, 2, 3 of 2014

M.Sadasivan

... Petitioner

Vs

- 1.The District Revenue Officer,
Erode District, Erode.
- 2.The Revenue Divisional Officer,
Erode District, Erode.
- 3.The Tahsildar,
Erode Taluk, Erode.
- 4.The District Registrar (Administration),
Karungalpalayam, Erode - 3.
- 5.The Project Officer (Unit II),
UDR Scheme, Erode.

6.M.Natarajan

... Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the entire records relating to the Impugned Order passed by the second respondent in his proceedings No.Na.Ka.516/2013/A4 dated 19.09.2014 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.M.R.Gokul Krishnan,
1 to 5 Government Advocate

For Respondent 6: Ms.Sathya

ORDER

This writ petition has been filed to issue a Writ of Certiorari to call for the entire records relating to the Impugned Order passed by the second respondent in his



proceedings No.Na.Ka.516/2013/A4 dated 19.09.2014 and quash the same.

2. The only point for consideration in this writ petition is that the petitioner filed appeal before the second respondent against the issuance of patta in favour of the sixth respondent dated 25.08.2014 for enquiry to be held on 25.09.2014. Whereas the second respondent passed impugned order even as early as on 19.09.2014 itself, without giving any opportunity of hearing to the petitioner, only on perusal of the petition submitted before the second respondent.

3. When the enquiry was posted on 25.09.2014 the second respondent passed impugned order on 19.09.2014 itself, for the reason based known to him. On this ground alone the impugned order cannot be sustained and it is liable to be set aside.

4. Accordingly, the Impugned Order passed by the second respondent in his proceedings No.Na.Ka.516/2013/A4 dated 19.09.2014 is set aside. This matter is remanded back to the second respondent for fresh disposal on the appeal filed by the petitioner herein.

5. It is made clear that the second respondent is directed to issue notice to the petitioner and the sixth respondent herein within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the second respondent is directed to pass order on merits and in accordance with law after giving opportunity of hearing to the petitioner and the sixth respondent herein within a period of twelve weeks thereafter.

6. Accordingly, this writ petition is allowed. No order as to costs. Consequently, the connected M.P.Nos.1, 2, 3 of 2014 is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

rna

To

1.The District Revenue Officer,
Erode District, Erode.



2.The Revenue Divisional Officer,
Erode District, Erode.

3.The Tahsildar,
Erode Taluk, Erode.

4.The District Registrar (Administration),
Karungalpalayam, Erode - 3.

5.The Project Officer (Unit II),
UDR Scheme, Erode.

+1cc to Mr.Zeenath Begum, Advocate, S.R.No.57095

+1cc to the Government Pleader, S.R.No.57695

W.P.No.27444 of 2014
and M.P.Nos.1, 2, 3 of 2014

RLD(CO)
SB(30/11/2021)