



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.09.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.M.A(MD) .No.742 of 2021

and

C.M.P(MD) No.7129 of 2021

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M/s.Madhuram Properties
Promoters India Limited
Represented through its Chairman,
Mr.Namachivayam
S/o. Krishnamoorthi,
No.14-A, Abdul Kabar Khan Street,
Chinna Chokkilulam,
Madurai.

...Appellant/Petitioner/Aggrieved person

-vs-

1. The Land Tribunal cum District Revenue Officer,
Ramanathapuram District,
Ramanathapuram ...1st Respondent/Land Tribunal
2. The Authorised Officer (Land Reforms)
And Sub Collector,
Paramakudi,
Ramanathapuram District. ... 2nd Respondents/Authorized
Officer

PRAYER : This Civil Miscellaneous Appeal is filed under Section 79 of Tamil Nadu Land Reforms (Fixation of Ceiling of Land) Act, 1961, to set aside the order of first respondent/Land Tribunal cum District Revenue Officer, Ramanathapuram District in Na.Ka.B8/21523/2020, dated 01.04.2021 which filed against the proceedings of second respondent/ the Authorised Officer (Land Reforms) Paramakudi in proceedings Na.Ka.A3/7466/2018, dated 10.02.2019.

For Appellant : Mr.S.Ramsundarvijayraj
For Respondents : Mr.A.Baskaran
Government Advocate

O R D E R

This Civil Miscellaneous Appeal has been filed seeking a direction to set aside the order of the first respondent/Land Tribunal cum District Revenue Officer, Ramanathapuram District in Na.Ka.B8/21523/2020, dated 01.04.2021 which was filed against the proceedings of the second respondent/ the Authorised Officer (Land Reforms) Paramakudi in proceedings Na.Ka.A3/7466/2018, dated



10.02.2019.

2. Heard Mr.S.Ramsundarvijayraj, learned counsel appearing for the appellant and Mr.A.Baskaran, learned Government Advocate appearing for the respondents.

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3. As per the order even after repeated notice, the appellant has failed to file satisfactory documents and orders passed by the District Revenue Officer.

4. The Appellant has filed the additional typed set of papers. After perusing the information under RTI in Moo.Mu.B1/4607/2020, dated 06.08.2021, it seen that the RTI Officer had returned the covers sent to him during the enquiry. On the side of the respondents, they had not filed any documents to prove the same.

5. The learned Government advocate appearing for the respondents strongly objected this appeal, since there was no notice served to the petitioner.

6. Considering the facts and circumstances of the case, this Court is inclined to allow the Civil Miscellaneous Appeal. Since sufficient opportunity has been given to the appellant/ petitioner, the order passed in first respondent/Land Tribunal cum District Revenue Officer Ramanathapuram District in Na.Ka.B8/21523/2020, dated 01.04.2021 which was filed against the proceedings of second respondent/ the Authorised Officer (Land Reforms) is set aside and the matter is remanded back to the first respondent to consider afresh and dispose of the same, after giving sufficient opportunity to the appellant. The District Revenue Officer is directed to dispose of the matter within three months from the date of receipt of a copy of this order.

7. With the above direction, this Civil Miscellaneous Appeal is allowed. No costs. Consequently the connected Civil Miscellaneous Petition is closed.

Sd/-

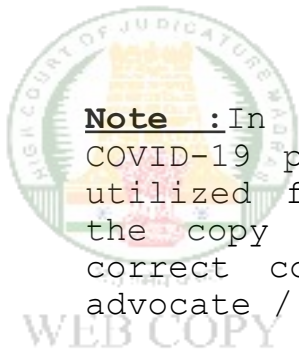
Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ebsi



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Land Tribunal cum District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.
2. The Authorised Officer (Land Reforms)
And Sub Collector,
Paramakudi,
Ramanathapuram District

Copy to

The Section Officer, V.R.Section (2C)
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.S.RAMSUNDARVIJJAYRAJ, Advocate (SR-29419[F] dated 17/09/2021)

+1 CC to M/s.SPL. GP (SR-29568[F] dated 20/09/2021)

C.M.A(MD).No.742 of 2021
and
C.M.P(MD) No.7129 of 2021
17.09.2021

DJ(CO)
KB(12.10.2021) 3P 7C