



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P(MD)Nos.12994 & 12995 of 2021

and

W.M.P(MD)Nos.10059, 10060, 10061 & 10062 of 2021

Mohammed Ismayil ... Petitioner in W.P(MD)No.12994/2021

S.Kavitha ... Petitioner in W.P(MD)No.12995/2021

Vs.

1.The Commissioner,
The Commissionerate of Land Administration,
Chepauk, Chennai - 5.

2.The District Collector,
Madurai District,
Madurai.

3.The District Revenue Officer,
Madurai District,
Madurai.

4.The Tahsildhar,
Melur Taluk,
Madurai District.

5.The Commissioner / BDO,
Kottampatti,
Madurai District.

6.The President,
Kottampatti Village Panchayat,
Kottampatti,
Madurai.

... Respondents in both W.Ps'

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, to issue Writs of Certiorari, to call for the records pertaining to the impugned order of the sixth respondent, dated 14.12.2020 in Oo.Ma.Ka.No.1/2020 and quash the same.



For Petitioner : Mr.J.Anandkumar
(In both W.Ps')
For RR 1 to 4 : Mr.B.Saravanan
(In both W.Ps') Government Advocate
For R - 5 : Mr.A.K.Manickam
(In both W.Ps') Standing Counsel for Government

COMMON ORDER

(Order of the Court was made by **M.DURAI SWAMY, J.**)

The petitioners have filed the above Writ Petitions to issue Writs of Certiorari, to call for the records relating to the impugned order, dated 14.12.2020 passed by the sixth respondent and to quash the same.

2.The impugned notices, dated 14.12.2020, were issued by the sixth respondent under the Panchayat Act.

3.Mr.J.Anandkumar, learned counsel appearing for the petitioner submitted that the very same notices, dated 14.12.2020 were challenged by the other parties in W.P(MD)No.662 of 2021 etc., batch and the Hon'ble Division Bench of this Court, by order, dated 21.01.2021, gave liberty to the petitioners therein to give suitable reply to the impugned notices by treating them as show cause notices. Further, the Division Bench directed the authority to consider the reply to be given by the petitioners therein and pass speaking orders in accordance with law within a period of four weeks thereafter. Till the passing of the order, the Division Bench also granted an order of status quo.

4.The learned counsel appearing for the petitioner further submitted that since the petitioners are challenging the very same notices, dated 14.12.2020, the order passed by the Division Bench of this Court may be passed in these Writ Petitions also.

5.Mr.B.Saravanan, learned Government Advocate, taking notice for the respondents 1 to 4, also submitted that the very same order can be passed in these Writ Petitions.

6.Having regard to the submissions made by the learned counsel appearing on either side, without expressing any opinion with regard to the merits of the matters, we give liberty to the petitioners to give suitable reply to the impugned notices dated 14.12.2020 within a period of four weeks from the date of receipt of a copy of this order and on receipt of the same, the sixth respondent is directed to pass orders on merits and in accordance with law within a period of four weeks thereafter. Till such time,



the respondents are directed to maintain status quo.

7. With these observations, the Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

WEB COPY

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

ps

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 Commissioner,
The Commissionerate of Land Administration,
Chepauk, Chennai - 5.

2. The District Collector,
Madurai District, Madurai.

3. The District Revenue Officer,
Madurai District, Madurai.

4. The Tahsildar,
Melur Taluk, Madurai District.

5. The Commissioner / BDO,
Kottampatti,
Madurai District.

Copy To:-

1. The President,
Kottampatti Village Panchayat,
Kottampatti, Madurai.

+1 CC to M/s. J. ANANDKUMAR, Advocate (SR-24887[F] dated 02/08/2021)

+1 CC to M/s. GP (SR-25073[F] dated 03/08/2021)

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02.08.2021