



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.22641 of 2021

and

W.M.P (MD) .No.19138 of 2021

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K.Jeyachandran

... Petitioner

Vs.

1.The District Revenue Officer,
Office of the Revenue Divisional Office,
Madurai,
Madurai District.

2.The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Madurai,
Madurai District.

3.The Zonal Deputy Thasildar,
Madurai West,
Ward 23,
Madurai.

4.R.Karthikeya Narayanan

5.R.Vimal Anand

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice passed by the second respondent in Na.Ka.No.6753/2021/P dated 15.11.2021 and quash the same as illegal, and consequently direct the second respondent not to conduct the further proceedings with respect to Na.Ka.No.6753/2021/P dated 15.11.2021.

For Petitioner : M/s.K.M.Priscilla Jancy

For R-1 to R-3 : Mr.S.Kameswaran,
Government Advocate.

ORDER

In view of the nature of the order passed, notice is not directed to respondents 4 and 5. Mr.S.Kameswaran, learned Government Advocate, takes notice for respondents 1 to 3.



2. The petitioner had received a notice from the second respondent / the Revenue Divisional Officer, Madurai, which is actually a notice calling upon the petitioner to participate in an inquiry on an application given by respondents 4 and 5 herein. The said application was with respect to cancellation of patta granted.

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3. Let me not enter into any discussion on the merits of the facts as stated by the petitioner or examine the merits of the respondents 4 and 5, since they are issues to the exclusive purview of the second respondent. If an inquiry notice had been issued, then the petitioner necessarily has to participate in the said inquiry. It is informed by the learned counsel for the petitioner that the petitioner did actually attend the inquiry on 06.12.2021 and it is now adjourned to 07.01.2022.

4. An obligation is placed on the petitioner herein to participate in the inquiry and place all records to counter the claim of respondents 4 and 5 during the course of inquiry. The second respondent is placed under an obligation to strictly adhere to the principles of natural justice, ensure that all the parties are given ample opportunity to present their rival case, examine the documents presented by the parties and give an opportunity of personal hearing to all the parties and only thereafter, come to any conclusion regarding both the petition given by the respondents 4 and 5 and objections as stated by the petitioner herein. I am confident that the second respondent would adhere to the said principles during the course of inquiry.

5. With the said observations, this Writ Petition stands dismissed. However, the petitioner is given liberty to participate in the inquiry to be conducted by the second respondent herein. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (CS-III)

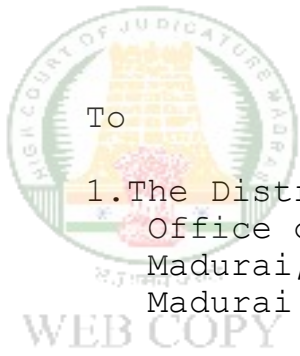
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/ /2022

Sub Assistant Registrar(CS)

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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 District Revenue Officer,
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Madurai District.

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Madurai.

+1 CC to M/s.SPL GP (SR-39965[F] dated 22/12/2021)

**W.P. (MD) .No.22641 of 2021
21.12.2021**

RD(5.01.2022) 3P 5C