



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13952 of 2022

and

W.M.P.Nos.13207, 13209 & 13211 of 2022

M/s.Safvolt Switchgears Private Ltd.,
No.7/174, Vellanaipatti Village,
Kalapatti Via, Annur Taluk,
Coimbatore District.
Represented by its Managing Director,
V.Vijayakumar
S/o.Ganapathiappan

...Petitioner

Vs.

1. The Revenue Divisional Officer,
Udumalpet, Tiruppur District.

2. The Tashildar,
Udumalpet, Tiruppur District.

...Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings issued by the second respondent in Na.Ka.No.4270/2022/E1 dated 26.05.2022 and to quash the same and consequently directing the respondents to survey and subdivide the lands in SF.No.521/1 and 521/3, Andiyagoundanur-2 Village, Udumalpet Taluk, Tiruppur District to an extent of 41 acres in total, based on the application submitted by the petitioner Company, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.P.Sathish
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2.The petitioner's application seeking for sub-division of



lands in Survey Nos.521/1 and 521/3, came to be rejected through the impugned order dated 26.05.2022, is under challenge in the present writ petition.

3.Among the other grounds raised in the present writ petition, one of the predominant ground raised is that the impugned order was passed without any notice or enquiry to the petitioner. Perusal of the impugned order also does not reveal that an enquiry was conducted, after giving notice to the petitioner herein. As such, the order itself would be in violation of principles of natural justice.

4.In this background, if the matter is remanded back to the first respondent/Revenue Divisional Officer, for a fresh enquiry, the ends of justice could be secured.

5.Accordingly, the impugned order dated 26.05.2022 is quashed. The matter is remanded back to the first respondent for fresh consideration. The first respondent herein, shall issue notice of enquiry to the petitioner as well as all the parties, who may be interested in the subject property and after giving opportunity of personal hearing, conduct due enquiry and pass appropriate orders. The first respondent herein shall endeavor to undertake and complete the aforesaid process within a period of three months from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition stands disposed of. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar/
Vacation Officer

//True Copy//

Sub Assistant Registrar

Pns

To

1. The Revenue Divisional Officer,
Udumalpet,Tiruppur District.

2. The Tashildar,
Udumalpet,Tiruppur District.

+1cc to M/s.G.Sankaran, Advocate, S.R.No.32121

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PMK(CO)

RGA(17/06/2022)