



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 29.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P(MD)No.5922 of 2011
and
M.P(MD)No.3 of 2011

1.T.Gurusamy

2.L.Vairamani

... Petitioners

Vs

1.The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.

2.Saroja

3.Jeyaseelan

4.Saravanan

5.Rajeswari

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for the records of the first respondent dated 04.02.2011 made in proceedings Mu.Mu.No.085/2011/A2, quash the same as arbitrary, ultravires, against the principles of natural justice.

For Petitioner	: Mr.R.G.Shankar Ganesh
For Respondent	: Mr.G.Suriyananth,
No.1	Additional Government Pleader
For Respondent	: Mr.T.Lajapathi Roy,
Nos.2 to 5	

ORDER

This writ petition has been filed challenging the order of inclusion of private respondents and removal of their names in the patta vide his proceedings dated 04.02.2011.

2.The learned Counsel for the petitioners submits that the property in Survey No.117/2, Karumathur Village, Usilampatti Taluk, belongs to the petitioners and one India. However, the first



respondent, Revenue Divisional Officer, Usilampatti by his proceedings in Mu.Mu.No.065/2011/A2, dated 04.02.2011 has ordered to include the names of respondents 2 to 5 and to remove the name of petitioners from patta No.172600 and this order came to be passed without even affording an opportunity of hearing to the petitioners, which is violative of the principles of natural justice. Aggrieved over the same, the present writ petition has been filed.

3.The learned Additional Government Pleader appearing for the first respondent fairly submitted that the petitioners were not put on notice while passing the impugned proceedings.

4.In the light of the above, this writ petition is allowed. The matter is remitted back to the first respondent, who shall, after affording an opportunity of hearing to the petitioners and other necessary parties if any, pass orders afresh within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dsk

To
The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-15224[F] dated 30/03/2022)

+1 CC to M/s.SPL GP (SR-15375[F] dated 30/03/2022)

W.P(MD)No.5922 of 2011
29.03.2022

KG(CO)
TR(08.04.2022) 2P 4C