



W.P(MD).No.17862 of 2013

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2022

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.17862 of 2013

and

M.P(MD) No.1 of 2013

Thirumal

... Petitioner

Vs.

1. The District Collector,
Madurai District, Madurai.
2. The Revenue Divisional Officer,
Madurai.
3. The Tahsildar,
Madurai North Taluk,
Madurai.
4. The Village Administrative Officer,
54, Chettikulam,
Thirumanlpuram Post,
Oomatchikulam,
Madurai – 14.
5. Natham Surveyor,
Madurai North Taluk,
Madurai.



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6. Subbaiah

... Respondents

(R-6 is impleaded vide order of this Court, dated 21.12.2022 in W.M.P. (MD) No.16566 of 2013 in W.P (MD) No.17862 of 2013)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned proceedings in Na.Ka.No.3103/2013/C, dated 24.09.2013 of the second respondent and to quash the same as illegal.

For Petitioner : Mr.B.Rooban

For Respondents : Mr.M. Prakash
Government Advocate
(For R1 to R5)

: Mr.R.J.Karthick (For -R-6)
(For implead party)

ORDER

The present Writ Petition has been filed seeking to quash the impugned proceedings dated 24.09.2013.

2. On a perusal of the said proceedings, it is seen that it is a notice, based upon which, the petitioner was directed to attend the enquiry.



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3. It is brought to the notice of this Court that the Revenue Divisional Officer had, in spite of the stay granted by this Court, proceeded to dispose of the proceedings, for which, the enquiry notice has been issued. In view of the matter, the enquiry notice has been acted upon, even though it is contemptuous. The petitioner has to approach the District Revenue Officer who had set aside the order of the Revenue Divisional Officer mainly and when the order of interim stay was passed, the Revenue Divisional Officer had no authority to pass the order.

4. It is also brought to the notice of this Court that pursuant to the order of the District Revenue Officer, the private respondent, the persons aggrieved against the petitioner in the impleading petition had also instituted the suit in O.S.No.229 of 2022, before the District Munsif Court, Melur.



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5. In view of the subsequent developments, no further adjudication is necessary in this petition. Hence, this Writ petition is closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**21.12.2022
(2/3)**

Index : Yes / No
Internet : Yes / No
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To

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K.KUMARESH BABU, J.

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Order made in
W.P(MD)No.17862 of 2013

21.12.2022
(2/3)