

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD).No.4589 of 2013

and

M.P(MD).No.1 of 2013

Kuruvu,

: Petitioner

Vs

1. The Revenue Divisional Officer,
Periyakulam,
Theni District.

2. The Tahsildar,
Andipatti Taluk,
Theni District

3. The District Collector,
Theni District

: Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for records relating to the proceedings of the first respondent in NA.KA.No.6042/2010/ 3 dated 12.10.2012, quash the same.

For Petitioner : Mr.M. Senthilkumar,
For R1 to R3 : A.Baskaran
Additional Government Pleader
For proposed party : Mr.S.Murugan

ORDER

The present writ petition has been filed challenging the order passed by the first respondent under which, the order of assignment granted in favour of the petitioner was cancelled.

2.According to the learned Counsel appearing for the petitioner, the petitioner was granted an order of assignment vide order dated 14.09.2006. Thereafter, under the impugned order dated 15.11.2011, without any notice or conducting enquiry, simply based upon the enquiry conducted by the Tahsildar, the order of assignment in favour of the petitioner has been cancelled. One A.Ayyangalai filed a petition to get himself impleaded in this petition. On the basis of his complaint, the impugned order has been passed. According to him, he is in possession of the property in dispute.

3.In view of the above said facts, the impugned order passed by the first respondent in NA.KA.No.6042/2010/ 3 dated 12.10.2012 is hereby set aside and the matter is remitted back to the file of the first respondent herein for passing fresh orders. The first respondent is directed to provide due opportunity to the writ petitioner and the said A.Ayyangalai and thereafter, pass orders on merits and in accordance with law, within a period of twelve weeks, from the date of receipt of a copy of this order.

4.With the above direction, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

12.09.2022
(1/2)

Index : Yes / No
Internet : Yes/ No
lr

To

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R.VIJAYAKUMAR, J.

lr

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(1/2)