



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.6257 of 2022
and
W.M.P. (MD) No.4862 of 2022

Mariappan

... Petitioner

Vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Sattur Revenue Division,
Sattur, Virudhunagar District.
- 3.The Thasildar,
Vembakottai Taluk,
Vembakottai,
Virudhunagar District.
- 4.The Thasildar,
Sattur Taluk,
Sattur,
Virudhunagar District.
- 5.Madasamy Thevar
- 6.Gurusamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 2nd respondent in Mu.Mu.Aa.3/4408/2016, dated 16.02.2022 quash the same and consequently direct the respondents 2 and 3 to conduct proper enquiry by affording reasonable opportunity to the petitioner.

For Petitioner : Mr.S.M.Anantha Murugan
For Respondents : Mr.M.Prakash,
Addl. Government Pleader for R1 to R4.
No appearance for R5 & R6



ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the respondents 1 to 4. Though the names of the private respondents have been printed in the cause list, they have not chosen to enter appearance.

2.It is seen that the petitioner purchased the petition mentioned land from the sixth respondent. The fifth respondent and the sixth respondent are brothers. After purchase from the sixth respondent, separate patta was issued in favour of the writ petitioner. The said patta was cancelled by the impugned order dated 16.02.2022. The specific stand of the writ petitioner was that he was not put on notice. I went through the impugned order in full. There is no material to show that the petitioner was ever served with any notice before passing the impugned order. There has been a clear violation of the principles of natural justice. The impugned order is set aside and the writ petition is allowed and the matter is remitted to the file of the second respondent to pass orders afresh in accordance with law after issuing notice to all the stakeholders. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

ias

To:-

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Sattur Revenue Division,
Sattur, Virudhunagar District.
- 3.The Thasildar,
Vembakottai Taluk,
Vembakottai,
Virudhunagar District.



4.The Thasildar,
Sattur Taluk,
Sattur,
Virudhunagar District.

+1 CC to M/s.S.M. ANANTHA MURUGAN, Advocate (SR-28614[F]
dated 28/06/2022)

+1 CC to M/s.SPL.GP (SR-28545[F] dated 28/06/2022)

W.P (MD) No. 6257 of 2022
27.06.2022

SVS (CO)
GC (08.07.2022) 3P 7C