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W.P.(MD)NO.20918 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20918 of 2021 and
W.M.P.(MD)No.17525 of 2021

Sivanesan

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Lalgudi,
Trichy District.

2. The Tahsildar,
Lalgudi Taluk,
Trichy District.

3. Sathiyamoorthi

4. S.A.Ilayaraja

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings in Mu.Mu.A3/885/2018 dated 27.04.2018 issued by the first respondent and quash the same and directing the second respondent to restore the original patta in the petitioner's name.



For Petitioner : Mr.G.Karnan

For R-1 & R-2 : Mr.K.S.Selva Ganesan,
Additional Government Pleader.

For R-3 : Mr.T.Lenin Kumar

For R-4 : Mr.S.Venkatesh

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner was the incumbent patta holder. The fourth respondent filed an appeal before the first respondent. Without notice to the writ petitioner, patta was cancelled. Aggrieved by the same, this writ petition has been filed.

3. Since the violation of principles of natural justice is apparent and the petitioner was not heard before the impugned order was passed, on this sole ground, the order impugned in this writ petition is set aside. The matter is remitted to the file of the first respondent to pass orders



afresh and in accordance with law. The first respondent shall issue notice to the parties concerned and then hold an enquiry and thereafter pass final order.

4. This writ petition stands allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

10.08.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The Revenue Divisional Officer,
Lalgudi,
Trichy District.
2. The Tahsildar,
Lalgudi Taluk,
Trichy District.



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G.R.SWAMINATHAN,J.

PMU

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