



W.A.No.1990 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVU

W.A.No.1990 of 2023

Boopathirajaa

.. Appellant

Vs

1 The District Collector
Collectorate
Kallakurichi District.
Kallakurichi.

2 The District Revenue Officer
Kallakurichi
Kallakurichi District.

3 The Revenue Divisional Officer
Collectorate, Kallakurichi
Kallakurichi District

4 The Zonal Deputy Tahsildar
Kallakurichi Taluk
Kallakurichi District.

5 The Revenue Inspector
Kallakurichi
Kallakurichi District.

.. Respondents



W.A.No.1990 of 2023

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 27.10.2022 passed by the learned Single Judge in W.P.No.28541 of 2022.

For the Appellant : Mr.N.Manoharan
for Mr.V.Elangovan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mr.K.Karthik Jagannath
Government Advocate

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.N.Manoharan, learned counsel for the appellant, and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.K.Karthik Jagannath, learned Government Advocate for the respondents.

2. Learned counsel for the appellant submits that in the impugned notice the factual matrix is not at all considered by the respondent authority. At least the documents produced by the patta holders and those persons who are legitimately in occupation of the



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lands ought to have been considered. The learned Single Judge has also not considered the said aspect.

3. The learned Single Judge has observed that the impugned notice has been issued to find out whether there is any person in possession of the subject property, except the persons belonging to Adi Dravidar community. The appellant, during the course of the enquiry, has opportunity to place on record the documents and put forth his stand. Naturally, the same would be required to be considered by the authority during the course of enquiry and if any order is passed against the appellant, the appellant may assail the same in accordance with law.

The writ appeal is disposed of accordingly. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

03.08.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi



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To

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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKESAVALU,J.

(sasi)

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