



W.A.No.2064 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.2064 of 2023

M.Kamal Dheen

Vs.

.. Appellant

1. Sabeeka Begaum
2. Mohamed Nainar
3. A.Nazer

4. The Special Land Commissioner and
Commissioner for Land Administration
Chepauk, Chennai.

5. The District Revenue Officer
Dindigul District, Dindigul.

6. The Revenue Divisional Officer
Kodaikanal.

7. The Tahsildar
Taluk Office, Kodaikanal.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 17.03.2022 made in W.P.No.25152 of 2011.



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For the Appellant : Mr.Prem Ayyadurai
For M/s. Ajmal Associates

For the Respondents : Mr.A.Jenasenan
for Respondents 1 to 3

Mr.K.Karthik Jegannath
Government Advocate
for Respondents 4 to 7

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.Prem Ayyadurai, learned counsel for the appellant, Mr.A.Jenasenan, learned counsel for the respondents 1 to 3 and Mr.K.Karthik Jegannath, learned Government Advocate for the respondents 4 to 7.

2. The original writ petitioner had filed the writ petition challenging the order passed by the District Revenue Officer cancelling the patta issued in his favour.

3. The learned Single Judge has discussed about the



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chequered facts involved in the matter. The original writ petitioner was assigned patta in the year 1973. It appears that the patta was transferred in the name of the present appellant in the year 1996. In the year 1998, the patta granted in favour of the appellant was cancelled and the original position was restored. Under the order impugned before the learned Single Judge, the assignment granted in favour of the original writ petitioner was cancelled, without giving notice to the original writ petitioner.

4. The learned Single Judge has observed about the authority of the second respondent in the writ petition to cancel the assignment and further observed that the same was without following the principles of natural justice. Liberty was given to the authority to proceed further, if the original writ petitioner violates the assignment conditions, after complying the principles of natural justice.

5. It is submitted that after the order of the learned Single



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Judge, the authority has proceeded further. Arguments were advanced by the parties before him. The authority may take decision on its own merits. The parties would have liberty to take steps against the order that would be passed by the authority concerned.

6. The writ appeal is disposed of. There will be no order as to costs. Consequently, C.M.P.No.17227 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No

Neutral Citation : Yes/No

kpl

To

1. The Special Land Commissioner and Commissioner for Land Administration, Chepauk, Chennai.
2. The District Revenue Officer, Dindigul District, Dindigul.
3. The Revenue Divisional Officer, Kodaikanal.
4. The Tahsildar, Taluk Office, Kodaikanal.



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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