



W.P.(MD).No.5466 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.07.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P.(MD).No.5466 of 2023
W.M.P(MD).No.5118 of 2023

Dhanalakshmi

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Sub-Collector/Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.

4.The Village Administrative Officer,
Alamarathupatti Village,
Sivakasi Taluk,
Virudhunagar District.

...Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the second respondent in proceedings in Mu.Mu.A2/4795/2015 dated 15.10.2015 and quash the same as illegal, arbitrary, violation of principles as natural justice.

For Petitioner : Mr.M.Jothi Basu

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

Challenging the order passed by the second respondent in Mu.Mu.A2/4795/2015 dated 15.10.2015 cancelling the assignment of the land to the petitioner, the present Writ Petition has been filed.

2. The petitioner was assigned with the land in Survey No.30/50 at Alamarathupatti Village on 27.09.1983. Thereafter, by the impugned order, dated 15.10.2015, the second respondent has cancelled the assignment on the ground that the petitioner has failed to put up a house as per the condition.



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3. Admittedly, no such condition has been imposed at the time of assignment in the assignment order. Moreover, the petitioner was not provided with an opportunity of hearing. Hence, the impugned order passed by the second respondent in Mu.Mu.A2/4795/2015 dated 15.10.2015 is set aside.

4. Accordingly, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

10.07.2023

Index: Yes/No
Internet: Yes/No
ssb



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To

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Virudhunagar.
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