



W.P.(MD)No.10870 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.11.2023

CORAM

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**W.P.(MD)No.10870 of 2020**

**and**

**W.M.P.(MD).Nos.7334, 9552 & 9554 of 2020**

1.Pappa  
2.Saroja  
3.Manimekalai  
4.Revathi

... Petitioners

Vs

1.The Revenue Divisional Officer,  
RDO Office,  
Pudukottai and District

2.The Tahsildar,  
Thirumayam Taluk,  
Pudukottai District.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, quashing the order of the 1st respondent passed in order in Ne.Mu.a4/6938/2019 dated 05-08-2020 as arbitrary and illegal.

For Petitioners

: Mr.R.Paranjothi

For R-1 & R-2

: Mr.A.K.Manikkam,  
Special Government Pleader



W.P.(MD)No.10870 of 2020

## **ORDER**

WEB COPY

This Writ Petition has been filed challenging the impugned order passed by the first respondent / Revenue Divisional Officer through proceedings in Ne.Mu.a4/6938/2019, dated 05.08.2020.

2. The case of the petitioners is that they were assigned the lands through the proceedings of the second respondent dated 28.12.2017 in the following manner:

| Sl.No | Beneficiaries                            | Survey No.                                     | Extent Ars                                         | Patta No. |
|-------|------------------------------------------|------------------------------------------------|----------------------------------------------------|-----------|
| 1.    | Pappa (1 <sup>st</sup> Petitioner)       | 251/1                                          | 0.48.0                                             | 2836      |
| 2.    | Saroja (2 <sup>nd</sup> Petitioner)      | 251/2 & 251/4                                  | 0.22.0<br>0.58.5                                   | 2839      |
| 3.    | Manimekalai (3 <sup>rd</sup> Petitioner) | 251/5,<br>251/6,<br>251/7,<br>251/8 &<br>251/9 | 0.05.0,<br>0.06.5,<br>0.08.0,<br>0.06.0,<br>0.06.0 | 2840      |
| 4.    | Revathi (4 <sup>th</sup> Petitioner)     | 251/10 &<br>251/12                             | 0.06.5.<br>0.80.5                                  | 2837      |

3. The grievance of the petitioners is that based on the complaint given by one Karuppaiah, the first respondent had initiated proceedings and had cancelled the assignment without issuing notice to the petitioners and without affording them any opportunity. Aggrieved by the same, the present Writ Petition has been filed before this Court.



W.P.(MD)No.10870 of 2020

WEB COPY

4. Heard the learned counsel on either side.

5. The impugned proceedings of the first respondent is liable to be interfered by this Court on the ground of violation of principles of natural justice. In this case, no notice was issued to the petitioners and they were not given any opportunity before the assignment was cancelled. In view of the same, the impugned proceedings of the first respondent in Ne.Mu.a4/6938/2019 dated 05.08.2020 is hereby quashed. The matter is remanded back to the file of the first respondent. The first respondent is directed to issue notice to the petitioners and afford them an opportunity and thereafter, pass necessary orders on its own merits and in accordance with law.

6. In the result, the Writ Petition is allowed with the above directions. No costs.

**10.11.2023**

NCC:yes/no  
Index:yes/no



W.P.(MD)No.10870 of 2020

Internet:yes/no

tsg

**N.ANAND VENKATESH, J.**

tsg

To

1.The Revenue Divisional Officer,  
RDO Office,  
Pudukottai and District

2.The Tahsildar,  
Thirumayam Taluk,  
Pudukottai District.

**W.P.(MD)No.10870 of 2020**

**10.11.2023**