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W.P.(MD)NO.11455 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.11455 to 11457 & 11503 of 2021 and
W.M.P.(MD)Nos.8975 to 8977 & 9031 of 2021

Pauline Lenina

... Petitioner
in W.P.(MD)No.11455 of 2021

Pandi

... Petitioner
in W.P.(MD)No.11456 of 2021

V.Ganesan

... Petitioner
in W.P.(MD)No.11457 of 2021

Virumandi

... Petitioner
in W.P.(MD)No.11503 of 2021

Vs.

1. The District Collector,
Collectorate,
Madurai – 625 020.
2. The District Revenue Officer,
Collectorate, Madurai.
3. The Tahsildar,
Taluk Office, Thirumangalam,
Madurai District.

4. Selvaraj

... Respondents
in all petitions



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Prayer in W.P.(MD)No.11455 of 2021: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in the proceedings of the District Revenue Officer, Madurai, 2nd respondent herein, in Ni.Mu.No.52974/2019/G5, dated 13.02.2021, quash the same and further direct the 2nd and 3rd respondents to restore the patta bearing No.3423 in favour of the petitioner for the land to an extant 64 ½ cents in Survey No. 203/1 in Kinnimangalam Village, Thirumangalam Taluk, Madurai District.

Prayer in W.P.(MD)No.11456 of 2021: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in the proceedings of the District Revenue Officer, Madurai, the 2nd respondent herein, in Ni.Mu.No.52974/2019/G5, dated 13.02.2021, quash the same and further direct the 3rd respondent restore the patta bearing No. 937 in favour of the petitioner for the land in Survey No.27/15 in Kinnimangalam Village, Thirumangalam Taluk, Madurai District.

Prayer in W.P.(MD)No.11457 of 2021: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in the proceedings of the District Revenue Officer, Madurai, the 2nd respondent herein, in Ni.Mu.No.52974/2019/G5, dated



13.02.2021, quash the same and further direct the 2nd and 3rd respondents to restore the patta in favour of the petitioner for the 1 acre and 04 cents and 42 cents of land in survey No. 202/3A and 204/6 respectively in Kinnimangalam Village, Thirumangalam Taluk, Madurai District.

Prayer in W.P.(MD)No.11503 of 2021: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in the proceedings of the District Revenue Officer, Madurai, the 2nd respondent herein, in Ni.Mu.No.52974/2019/G5 dated 13.02.2021, quash the same and further direct the 2nd and 3rd respondents to restore the patta bearing No.3368, Patta No.3409, Patta No. in favour of the petitioner for the land in survey Nos.203/6, 202/3B, 202/3A1 and 202/3A2 in Kinnimangalam Village, Thirumangalam Taluk, Madurai District.

(in all W.Ps.)

For Petitioner : Mr.S.Vellaichamy

For R-1 to R-3 : Mr.B.Saravanan,
Additional Government Pleader.

For R-4 : Mr.M.Ramu

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COMMON ORDER

Heard the learned counsel on either side.

2. By the orders impugned in these writ petitions, the District Revenue Officer, Madurai, had cancelled the pattas issued in favour of the writ petitioners. The decision was taken on the basis of the complaint lodged by the fourth respondent.

3. A reading of the impugned order would indicate that the writ petitioners were not put on notice before passing the impugned order. On the sole ground of violation of principles of natural justice, the impugned order is set aside. The matter is remitted to the file of the second respondent to hold proper enquiry and pass orders afresh on merits and in accordance with law. The principles of natural justice will have to be strictly complied with. The writ petitioners will have to be put on notice.



4. These writ petitions stand allowed. No costs.

Consequently, connected miscellaneous petitions are closed.

02.02.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The District Collector,
Collectorate,
Madurai – 625 020.
2. The District Revenue Officer,
Collectorate, Madurai.
3. The Tahsildar,
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W.P.(MD)NO.11455 OF 2021

G.R.SWAMINATHAN,J.

PMU

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