



WP (MD) No.18697 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Ponnumalai

... Petitioner

Vs

1.The District Revenue Officer,
Arupputtai,
Virudhunagar District.

2.The Revenue Divisional Officer,
Collectorate Campus,
Virudhunagar District.

3.The Tahsildar,
Taluk Office,
Aruppukottai,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records relating to the impugned order passed by the 3rd respondent in his proceedings in Na.Ka.No.A2/6314/2023, dated 07.06.2023 and quash the same and consequently direct the 3rd respondent to hear the petitioner and pass appropriate orders.



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For petitioner : Mr.C.Muthusaravanan
For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

ORDER

This writ petition is filed as against the orders passed by the Tahsildar rejecting the request of the petitioner for grant of patta for the land in Survey No.96/5 in S.No.525/5 situated in Mandapa Salai Village, Aruppukottai Taluk, Virudhunagar District.

2.The learned Counsel for the petitioner has raised various grounds in this writ petition and has also attributed motive towards the 3rd respondent Tahsildar for passing of the impugned order.

3.The Tahsildar, Aruppukottai has filed a counter affidavit dated 16.08.2023 in this writ petition.

4.This Court is not satisfied with the manner in which, the issue has been dealt with by the Tahsildar concerned. However, this Court is not inclined to pass any orders by



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remitting the matter to the very same Tahsildar by setting aside the impugned order. The petitioner is having an appeal remedy before the RDO concerned.

5. In view of the above, the writ petition is disposed of with liberty to the petitioner to file an appeal as against the order passed by the Tahsildar, within a period of two weeks from the date of receipt of a copy of this order before the 2nd respondent. The 2nd respondent shall conduct an enquiry independently disregarding the observations made by the Tahsildar in the impugned order and the counter affidavit filed before this Court and pass appropriate orders as expeditiously as possible preferably within a period of four months from the date of filing of such an appeal by the petitioner. No costs.

29.08.2023

Internet: Yes / No
Index : Yes / No
NCC : Yes / No

dsk



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