



WP(MD)No.17853/2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.17853/2014 &
MP(MD)No.1/2014

S.Selvaraj

... Petitioner

-Vs-

1.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Devakottai, Sivagangai District.

2.The Tahsildar,
Tirupathur Taluk,
Sivagangai District.

3.C.Vellaikannu

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the impugned order dated 09.10.2014 in Aa9/10629/14 on the file of the second respondent delivered on 15.10.2014 and quash the same as illegal.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.S.Shaji Bino,
Special Government Pleader
for R1 and R2
No appearance for R3



WP(MD)No.17853/2014

ORDER

WEB COPY This Writ Petition is filed as against the order dated 09.10.2014 passed by the Tahsildar, the second respondent herein in Aa9/10629/14.

2. The learned counsel for the petitioner submits that the patta which originally stood in the name of the petitioner's father has been changed in the name of the third respondent without any notice to the petitioner and therefore on the violation of the principles of natural justice, this petitioner has preferred this Writ Petition before this Court.

3. Pending this Writ Petition, this petitioner has also preferred a suit before the learned District Munsif, Thirupathur in OS.No.163/2015 for the relief of declaration and permanent injunction and the same was decreed in his favour by the Trial Court vide Judgment and Decree dated 30.11.2022 and the title of the land has now been confirmed by the Civil Court.

4. No representation for the third respondent.



WP(MD)No.17853/2014

5. Though this Writ Petition is filed challenging the order of the Tahsildar, the second respondent herein on the ground of violation of the principles of natural justice, this petitioner has also approached the competent Court ie., District Munsif Court, Thirupathur and obtained a decree in his favour. In view of the subsequent developments, this Writ Petition is disposed of with a direction to the petitioner to submit a representation to the Tahsildar, the second respondent herein along with the decree in OS.No.163/2015 on the file of the District Munsif Court, Thirupathur, within a period of two weeks from the date of receipt of a copy of this order. On such representation, the Tahsildar, the second respondent herein shall pass necessary orders on merits and in accordance with law, within a period of six weeks from the date of receipt of such representation, after providing an opportunity to the third respondent. No costs. Consequently, the connected Miscellaneous Petition is closed.

07.03.2023

NCC: Yes / No
Index :Yes / No
Speaking Order : Yes / No

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WP(MD)No.17853/2014

B.PUGALENDHI, J.

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To

- 1.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Devakottai, Sivagangai District.
- 2.The Tahsildar,
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