



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**WP(MD)No.12419 of 2015
and
MP(MD)No.1 of 2015**

Mathialagan

... Petitioner

Vs.

1.The District Revenue Officer,
Trichy District.

2.The Tahsildar, Musiri Taluk,
Trichy District.

3.Kalingamuthu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the proceedings of the first respondent made in Na.Ka.AA2/23246/2014 dated 16.06.2015 and quash the same.

For Petitioner : Mr.Murali for Mr.K.Govindarajan

For Respondents : Mr.N.Satheeshkumar
Addl Government Pleader for R1 & R2



ORDER

WEB COPY

Heard the learned counsel on either side.

2.The petitioner challenges the impugned order dated 16.06.2015 passed by the District Revenue Officer, Tiruchirappalli cancelling the Natham patta issued in favour of the petitioner. The petitioner was having Natham patta in respect of as many as four survey numbers, namely, 86/16, 86/15, 86/66 and 86/17. Complaint was received in respect of 86/16. Notice dated 10.01.2014 was issued by the first respondent. However, after holding enquiry patta in respect of S.No.86/16 was cancelled.

3.It is well settled that the final order passed by the authority should be in consonance with what is proposed in the notice. The authority has gone beyond what was proposed in the notice. The learned counsel for the petitioner submitted that the petitioner has filed O.S No.27/2014 on the file of the District Munsif Court, Musiri against the third respondent and it is still pending. The first respondent shall issue notice to the petitioner, the third respondent and other stakeholders, if any. Thereafter, order shall be passed on merits and in accordance with law. It is made clear that I have not gone into the merits of the matter.



4.This writ petition stands disposed of. No costs. Connected miscellaneous petition is closed.

15.09.2023

Index : Yes / No
Internet : Yes/ No
skm

To

- 1.The District Revenue Officer,
Trichy District.
- 2.The Tahsildar, Musiri Taluk,
Trichy District.



WEB COPY



G.R.SWAMINATHAN, J.

skm

**WP(MD)No.12419 of 2015
and
MP(MD)No.1 of 2015**

15.09.2023