



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**W.P(MD)No.14317 of 2015
and
MP(MD)Nos.1 & 2 of 2015**

Mani

... Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Tahsildar,
Uthamapalayam, Theni District.

3.The Taluk Head Surveyor,
Taluk Office, Uthamapalayam Taluk,
Theni District.

4.S.V.Sugarna

5.Padmavathy

... 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 impugned order passed by the first respondent dated 26.02.2015 in RTR No. 17009/2014 and quash the same.



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For petitioner : Mr.N.Dilipkumar

For Respondents : Mr.D.Gandhiraj
Special Government Pleader for R1 to R3

ORDER

Heard the learned counsel on either side. Even though the private respondents have been served and their names were also printed in cause list, they have not chosen to enter appearance.

2.The Tahsildar, Uthamapalayam has made changes in the patta in respect of the land belongs to the petitioner. It is obvious that the application submitted by the fourth respondent and the fifth respondent have been straightaway allowed behind the back of the petitioner. On this sole ground of violation of principle of natural justice, the impugned proceedings are set aside. The matter is remitted to the file of the second respondent. The second respondent will issue fresh notice to the petitioner as well as the private respondents and other stakeholders if any. Enquiry will be conducted and an order on merits and in accordance with law shall be passed thereafter. It is made clear that I have not gone into the merits of the matter. It is open to the second respondent to pass order one way or the other.



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3. This writ petition is disposed of. No costs. Connected miscellaneous petitions are closed.

25.09.2023

Index : Yes / No
Internet : Yes/ No
skm

To

1. The District Collector,
Theni District, Theni.
2. The Tahsildar,
Uthamapalayam, Theni District.
3. The Taluk Head Surveyor,
Taluk Office, Uthamapalayam Taluk,
Theni District.



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G.R.SWAMINATHAN, J.

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