



W.P(MD)No.1526 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1526 of 2015

and

M.P(MD)Nos.2 & 3 of 2015

M/s.Nirupam Holdings Private Limited,
Through its Financial Manager,
B.Devaraj,
No.126, Arts College Road,
Coimbatore.

... Petitioner

Vs

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

3.The Tahsildar,
Thirumangalam,
Madurai District.

4.S.Muthupandi
5.M.Kannan
6.Kavitha

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in Mu.Mu.No.



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8526/2012/A2 dated 27.06.2014 and quash the same as it is arbitrary and illegal and consequently to direct the third respondent to restore the Patta No.1194, for the property, measuring 65.00 Ares, comprised in S.No.5/7B1 in Koodakovil Village in Thirumanagalam Taluk in Madurai District, in the name of the petitioner and to carry out the same in all other revenue records in his office.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.N.GA.Natraj
Government Advocate for R.1 to R.3

Mr.M.Kannan for R.4 to R.6

ORDER

Heard the learned counsel on either side.

2. By the impugned proceedings dated 27.06.2014, the private respondents have been added as joint pattadhars along with the petitioner.

3. The only ground taken by the learned counsel appearing for the petitioner is that this order was passed without notice to the petitioner and that the petitioner was the sole pattadhar earlier. I called upon the learned Government Advocate to verify if this contention anchored on breach of the principles of natural justice is well founded. The matter was adjourned for that purpose. After verifying records, the learned Government Advocate today



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confirmed that notice was not issued to the petitioner. In the impugned order also, there is no reference to any such notice.

4. In this view of the matter, I sustain the contention of the learned counsel appearing for the petitioner. The order impugned in this writ petition is set aside. The matter is remitted to the file of the second respondent. Both the parties shall appear before the second respondent on **25.09.2023 at 03.00 p.m** in the office of the second respondent. The second respondent will also issue notices to other interested parties if any. The second respondent will pass final order on the third respondent's applications and the application of the private respondents on merits and in accordance with law within a period of three months thereafter. I make it clear that I have not gone into the merits of the matter. The contention of both the parties are left open.

5. This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

07.09.2023

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



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G.R.SWAMINATHAN, J.

MGA

To

- 1.The District Collector,
Madurai District.
- 2.The Revenue Divisional Officer,
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- 3.The Tahsildar,
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