



W.P(MD)No.2953 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2953 of 2015

and

M.P.(MD)No.2 of 2015

1.A.Murali Kannan

2.Latha @ Latha Maheswari

3.Ramar

4.N.Sundaramurthi

5.Murugeshwari

6.Balakandasamy

7.Punitharani

8.Jegadeesan

9.Rajammal

... Petitioners

Vs.

1.The Revenue Divisional Officer,
RDO Office,
Dindigul District.

2.Sugunasundari

... Respondents



W.P(MD)No.2953 of 2015

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 summon issued by the 1st respondent in his Proceedings Na.ka. No. 2821/2014/B4 dated 28.01.2015 and quash the same as illegal.

For Petitioner : Mr.Jana Alais B.Janath Ahmed
For Respondent : Mr.D.Gandhiraj
Special Government Pleader for R1
: Mr.M.Natarajan for R2

ORDER

What is under challenge is a mere notice.

2. This by itself does not infringe the rights of the petitioner. The petitioners can very well participate in the enquiry. The learned counsel for the petitioners asserts that the subject matter involves investigating into the title issues and the revenue authority cannot undertake such a scrutiny. He relies on the Division Bench decision reported in 2011 (5) CTC 94 (Vishwas Foodwear Company Ltd., Vs. The District Collector). But whether the case involves a title dispute need not be gone into at this stage by the writ court. The petitioners can very well urge their contention before the first respondent.



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3. The petitioners shall appear before the first respondent on 28.08.2023 at 3.00 p.m. The petitioners will not receive any fresh notice. It is not necessary that all the petitioners should appear in person. They can very well be represented by a counsel.

4. Granting liberty to the petitioners to raise all their contentions, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

07.08.2023

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

To

The Revenue Divisional Officer,
RDO Office,
Dindigul District.



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G.R.SWAMINATHAN, J.

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