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W.P.(MD)NO.381 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.381 of 2015 AND
M.P.(MD)No.2 of 2015

C.Muthulakshmi

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Tiruchendur,
Tuticorin District.

2. The Tahsildar,
Tiruchendur Taluk,
Tuticorin District.

3. Arumuga Nainar

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the enquiry notice dated 23.07.2014 in proceedings in Na.Ka.No.A3/2539/2013 on the file of the first respondent and quash the same as illegal.

For Petitioner : Mr.M.P.Senthil

For R-1 & R-2 : Mr.D.Gandhiraj,
Special Government Pleader.

For R-3 : Mr.P.Subramanian

* * *



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ORDER

Heard the learned counsel on either side.

2. The third respondent had applied before the Revenue Divisional Officer, Tiruchendur, for deleting the name of the petitioner in respect of the petition-mentioned land. The impugned notice dated 23.07.2014 was issued in this regard. Challenging the same, the present writ petition came to be filed.

2. The stand of the petitioner's counsel is that the Tahsildar himself is competent to effect modification of the entries in the revenue record and the Revenue Divisional Officer is not the competent authority.

3. I find force in the said contention of the petitioner's counsel. The third respondent is therefore directed to submit fresh application before the second respondent and the second respondent after issuing notice to the petitioner as well as the third respondent and other interested persons if any, pass



final orders on merits and in accordance with law. The learned counsel appearing for the third respondent submits that he will file an application before the second respondent within a period of two weeks from the date of receipt of a copy of this order. The second respondent shall pass final order within a period of twelve weeks, thereafter. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

24.08.2023

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

PMU

To:

1. The Revenue Divisional Officer,
Tiruchendur,
Tuticorin District.
2. The Tahsildar,
Tiruchendur Taluk,
Tuticorin District.



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4

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G.R.SWAMINATHAN,J.

PMU

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