



W.P(MD)No.21549 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21549 of 2019

and

M.P.(MD)No.18222 of 2019

K.R.N.Ramesh

... Petitioner

Vs.

1.The District Revenue Officer,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Iluppur, Pudukkottai District.

3.The Tahsildar,
Kulathur Taluk,
(Camp) Keeranur,
Pudukkottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned order dated 06.09.2019 of the 1st respondent in Ni.Mu.A3/10475/2017 confirming the impugned order dated 28.10.2016 of the second respondent in Mu.Mu.A2/3400/2016 and quash the same and consequently direct the respondents to restore the patta in favour of the petitioner in respect of the property in S.No. 585/37 Keeranur Village, Kulathur Taluk, Pudukkottai District.



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For Petitioner : Mr.G.Prabhurajadurai
Mr.J.Anandkumar

For Respondents : Mr.N.GA.Nataraj
Government Advocate

ORDER

Heard both sides.

2. It is made clear at the very outset that the merits of the matter have not been gone into. The petitioner's patta was cancelled by the Revenue Divisional Officer, Iluppur. The petitioner's revision was taken up for consideration by the District Revenue Officer, Pudukkottai. The District Revenue Officer, Pudukkottai called for reports. Based on the same, the impugned order came to be passed confirming the order of cancellation.

3. As rightly pointed out by the learned counsel for the petitioner, the District Revenue Officer ought to have made available the adverse reports to the petitioner and invited his response. In matters such as this, there is a serious civil consequence. There must be atleast summary enquiry. There will have to be personal hearing also. In this case, without putting the petitioner on notice, straight away the impugned order has been passed.



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4. Therefore, on this sole ground, the impugned order is set aside. The matter is remitted to the file of the first respondent. The first respondent shall pass order afresh on merits and in accordance with law. Since the petitioner is having all the relevant documents, there is no need for the Revenue Divisional Officer to supply any more document. The petitioner shall file additional written statement. Oral enquiry shall be held on 13.10.2023 at 03.00 p.m. Thereafter final order on merits and in accordance with law shall be passed.

5. The Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

29.09.2023

Index : Yes / No

Internet : Yes/ No

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NOTE: Issue Order Copy on 06.10.2023.

To

1.The District Revenue Officer,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Illuppur, Pudukkottai District.

3.The Tahsildar,
Kulathur Taluk,
(Camp) Keanur,



Pudukkottai District.

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G.R.SWAMINATHAN, J.

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