



W.P.(MD)No.9879 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.9879 of 2016
and
W.M.P.(MD)No.7804 of 2016

M.Shenbagam

... Petitioner

versus

1. The District Collector,
Collector Office,
Tuticorin,
Tuticorin District.
2. Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.
3. Ettammal
4. Mariammal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, to call for the records relating to the order in Ni.Mu.5356/2011/(A6) dated 04.01.2016 passed by the 2nd respondent and quash the same.



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For Petitioner : Mr.B.Rajesh Saravanan
For R1 and R2 : Mr.P.T.Thiraviam,
Government Advocate
For R3 and R4 : No appearance

ORDER

This writ petition is filed challenging the order dated 04.01.2016 passed by the second respondent/the Revenue Divisional Officer, Kovilpatti, Tuticorin District, in the appeal filed by the petitioner.

2. The main contention of the learned counsel appearing for the petitioner is that before passing the impugned order, the Revenue Divisional Officer, Kovilpatti, has not provided any opportunity of hearing to the petitioner.

3. The learned Government Advocate appearing for the respondents 1 and 2 has filed a report stating that it is the petitioner, who has filed the appeal before the Revenue Divisional Officer, Kovilpatti and has given evidence before the Revenue Divisional



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Officer, Kovilpatti and only thereafter, the Revenue Divisional Officer, Kovilpatti, has decided the issue. Therefore, the contention of the learned counsel for the petitioner that the petitioner was not given an opportunity of hearing, cannot be accepted. He further submits that as against the dismissal order of the Revenue Divisional Officer, Kovilpatti, the petitioner is having a remedy before the District Revenue Officer, Tuticorin.

3. Since the petitioner is having a remedy before the District Revenue Officer, Tuticorin, this writ petition is dismissed with liberty to the petitioner to file a revision petition before the District Revenue Officer, Tuticorin. No costs. Consequently, connected miscellaneous petition is closed.

12.10.2023

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



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B.PUGALENDHI, J.

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