



W.P.(MD) Nos.27689 and 27690 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)Nos.27689 and 27690 of 2022

and

W.M.P.(MD)Nos.21797 and 21798 of 2022

Manonmani

... Petitioner in W.P.(MD)No.27689 of 2022

Sathiyakala

.... Petitioner in W.P.(MD)No.27690 of 2022

-Vs-

1.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Paramakudi Revenue Division,
Paramakudi, Ramanathapuram District.

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3.The Tahsildar,
Muthukulathur Taluk,
Muthukulathur, Ramanathapuram District.

4.M.Sivagnanam ... Respondents in both W.Ps.

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 3rd respondent in Na.Ka.P1/4607/2020, dated 22.11.2022 and quash the same and also consequently, forbear the respondents 1 to 3 from anyway dispossessing the petitioners from their land in Survey Nos.412/27 and 412/28.

For Petitioners : Mr.C.Jeyaprakash
For R1 to R3 : Mr.M.Sarangan,
Additional Government Pleader
For R4 : Mr.M.Mohanasundaram
(in both W.Ps.)

COMMON ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Challenging the eviction notice issued by the 3rd respondent dated 22.11.2022, these Writ Petitions have been filed with a consequential direction

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to forbear the respondents 1 to 3 from anyway dispossessing the petitioners from their land in Survey Nos.412/27 and 412/28.

2.According to the petitioners, assignment pattas granted in favour of the petitioners in the year 2007 and 2019, have been cancelled by the 2nd respondent on 04.05.2022. Challenging the said cancellation order, the petitioners have filed a revision before the 1st respondent. Since the same has not been considered, the petitioners have filed W.P.(MD)Nos.22745 and 22746 of 2022, wherein this Court, by an order dated 28.09.2022, directed the 1st respondent to expedite the revision pending on his file and pass appropriate orders within a period of twelve weeks. In the meantime, suppressing the aforesaid fact, the 4th respondent has filed W.P.(MD)No.22871 of 2022 before this Court, seeking removal of the encroachments made by the petitioners, wherein this Court, by an order dated 29.09.2022, directed the 3rd respondent to take action for removal of the encroachments, after affording sufficient opportunity to the 4th respondent, the petitioners herein and to all other parties concerned. Pursuant to the said order, the 3rd respondent issued an eviction



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notice dated 22.11.2022, directing the petitioners to remove the encroachment, which is impugned in these Writ Petitions.

3.The learned counsel for the petitioners submitted that it is suffice, if the revision filed by the petitioners is directed to be disposed of by the 1st respondent, within a time frame and till such time, the impugned order may be kept in abeyance.

4.In reply, the learned Additional Government Pleader for the respondents 1 to 3 submitted that the revision filed by the petitioners would be considered and necessary orders would be passed within a time frame.

5.In view of the aforesaid submissions made on either side, these Writ Petitions are disposed of, directing the 1st respondent to dispose of the revision filed by the petitioners on its own merits and in accordance with law, after providing sufficient opportunity to the petitioners, 4th respondent and to all other parties concerned. Such an exercise shall be completed within a period of two



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weeks from the date of receipt of a copy of this order. Till such time, the impugned order passed by the 3rd respondent dated 22.11.2022, shall be kept in abeyance. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] & [R.V., J.]
02.01.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

MYR

Note: Issue Order copy on 05.01.2023.

To

1.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Paramakudi Revenue Division,
Paramakudi, Ramanathapuram District.

3.The Tahsildar,
Muthukulathur Taluk,
Muthukulathur, Ramanathapuram District.

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