



W.P(MD)No.25887 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25887 of 2023

and

W.M.P.(MD) Nos.22228 and 22229 of 2023

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... Petitioner

Vs.

1.The District Collector,
Madurai.

2.The District Revenue Officer,
Madurai District.

3.Duraipandi

4.Rajeswaran

5.Ochappan

6.Rajapandi

7.Cellaiya Poosari

8.Ramamoorthy

9.Pandeeswaran

10.Ganesh Kumar

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11.Pal Pandi

12.Soundra Pandi

... Respondents

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 impugned notification passed in Na.Ka.No.252/2022/TACTV-3 dated 22.07.2022 on the file of the 2nd respondent and to quash the same as illegal.

For Petitioner : Mr.K.R.Laxman

For R1 & R2 : Mr.C.Satheesh
Government Advocate

For R3 to R12 : Mr.S.K.Surendran

ORDER

Heard both sides.

2.The writ petitioner questions the proceedings that are now pending before the second respondent. I decline to go into the merits of the matter. The petitioner's mother, Tamilselvi, filed WP.(MD) No.28942 of 2022. She also wanted to quash the very same proceedings. The writ

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petition was disposed of by me on 23.12.2022 in the following terms:-

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“What is under challenge in this writ petition is only notice. The learned counsel for the petitioner would of course contend that it has been issued without jurisdiction. On a prima facie reading of the materials on record, I am not able to come to the said conclusion. All the contentions of the writ petitioner are left open. The petitioner can very well participate in the enquiry. If the final order goes against the petitioner, certainly the petitioner can question the same and all the contentions now urged before me can very well be re-urged. I make it clear that I have not gone into the merits of the matter.”

3. In the affidavit filed in support of the present writ petition, there is no reference to the said order dated 23.12.2022. The petitioner being the son of Tamilselvi obviously cannot feign ignorance. When at the instance of the mother, I had declined to quash the proceedings, it would not be proper for me to go into the same issue on merits. Leaving open all the contentions and other defences of the writ petitioner, the Writ Petition is dismissed.



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WEB COPY No costs. Consequently, connected Miscellaneous Petition is closed.

24.11.2023

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

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To:-

- 1.The District Collector,
Madurai.
- 2.The District Revenue Officer,
Madurai District.



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G.R.SWAMINATHAN, J.

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24.11.2023