



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27916 of 2022

and

WMP(MD)Nos.21993 & 21994 of 2022

Sathiyakumar

... Petitioner

v.

1.The Revenue Divisional Officer,
Sathur, Virudhunagar District.

2.The Tahsildar, Sathur Taluk,
Virudhunagar District.

3.Ramasubbu

... Respondents

(R1&R2's cause title was amended vide
court order dated 11.01.2023 in
WMP(MD)No.760 of 2023)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the impugned order passed by the first respondent in Moo.Mu.A3/4789/2022 dated 27.07.2022 and quash the same as illegal.



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For Petitioner : Mr.RJ.Karthick

For Respondents : Mr.M.Sidharthan
Additional Government Pleader
for R1 & R2

No appearance for R3

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the official respondents. Though the name of the private respondent is printed in the cause title, he has not chosen to enter appearance.

2.The impugned order cancelling the patta has been put to challenge in this writ petition. The only ground on which it is challenged is that it has been passed in violation of principle of natural justice. Admittedly, the patta stood in the name of the petitioner. The third respondent has sought its cancellation. The first respondent was obliged to issue notice to the petitioner before passing any order. Without notice to the petitioner or even his vendor, the impugned order has been straightaway passed. This is a clear violation of principle of natural justice. The matter is remitted to the file of the first respondent to pass orders afresh on merits and in accordance with law. I



only hope that at least now the first respondent will bear in mind the principles of natural justice. The first respondent shall issue notice to the petitioner, the third respondent and other interested parties if any before passing any order.

3.The writ petition is allowed. No costs. Connected miscellaneous petitions are closed.

12.01.2023

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

To

1.The Revenue Divisional Officer,
Sathur, Virudhunagar District.

2.The Tahsildar, Sathur Taluk,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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