



WEB COPY

W.P.No.3652 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2024

CORAM :

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P.No.3652 of 2024
and WMP No.3937 of 2024

A.Srimurugan

.. Petitioner

VS

- 1.The Secretary
Commissionerate of Revenue Administration
PWD Estate, Chepauk,
Chennai – 600 005.
2. The Collector,
Dharmapuri Collector Office,
Dharmapuri – 636 705.
- 3.The Village Administrative Officer,
Village – 26, Chinnampalli,
Pennagaram Taluk,
Dharmapuri, Pin 636 811.
- 4.The Revenue Inspector,
Perumbalai, Pennagaram Taluk,
Dharmapuri, Pin – 636 811
- 5.The Tahsildar,
Taluk Office, Pennagaram,
Dharmapuri – 636 810

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus calling for the records of the 5th respondent in Application No.TN920240111188 quash the same and consequently direct the 4th and 5th respondent to consider the application dated 11.01.2024 of the petitioner once again and grant Small/Marginal Farmer Certificate-REV 117 to the petitioner.

For Petitioner : Mr.C.Vigneswaran

For Respondents : Mr.M.R.Gokul Krishnan
Additional Government Pleader

ORDER

Mr.M.R.Gokul Krishnan, learned Additional Government Pleader accepts notice for the respondents and is armed with instructions to enable a purposeful adjudication of this Writ Petition, even at the stage of admission.

2. The petitioner challenges the order of R5, being the Tahsildar, Pennagaram, Dharmapuri rejecting his application for issuance of Small/Marginal Farmer Certificate.

3. Mr.Gokul would fairly submit that the impugned order containing the endorsement to the effect that the petitioner's application has been rejected appears to have been passed in error. That apart and admittedly, the petitioner has also been not heard prior to passing of the impugned order.

4. Mr.Gokul has filed a memo in this regard reading thus:



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'2. It is submitted that the 5th Respondent will reconsider the Petition after giving due opportunity of hearing to the petitioner.

3. It is submitted that the Tahsildar (5th Respondent) will pass orders on the applications for obtaining Small/Marginal Farmer Certificate in accordance with law and the Government Orders governing the same.'

5. Recording the aforesaid memo, the impugned order is set aside

and R5 is directed to hear the petitioner and pass a detailed order on the application of the petitioner dated 11.01.2024 bearing in mind the applicable Rules and Regulations as well as the Government Orders, within a period of four (4) weeks from date of receipt of a copy of this order.

6. This Writ Petition is allowed. No costs. Connected Miscellaneous Petition is closed.

16.02.2024

Index:Yes/No
speaking order
Neutral Citation:Yes
sl

To

1.The Secretary
Commissionerate of Revenue Administration
PWD Estate, Chepauk,
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DR. ANITA SUMANTH,J.



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