



WEB COPY

W.P.No.14706 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2024

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THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P.No.14706 of 2024
& WMP.Nos.15949, 15951 and 15953 of 2024

1.M.Nithyapriyadharshini
2.Ganesh Karthick

... Petitioners

Vs

1. The Revenue Divisional Officer
Office of Revenue Divisional Officer
Dharapuram
Tiruppur District.
2. The Thasildar
Dharapuram Taluk
Tiruppur District.
3. The Executive Engineer
Amaravathi River Basin Division
Dharapuram
Tiruppur District.
4. R.Suresh Kumar
5. R.Rajmohan
6. Prabakaran

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the order dated 15.05.2024 in Ni.Mu.No.3858/2023/A on the file of 1st Respondent and quash the same.



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For Petitioners : Mr.N.Ponraj
For Respondents : Mr.Vadivelu Deenadayalan,
Additional Government Pleader – R1 to R3
Mr.P.M.Duraisamy – R4 and R6
No appearance - R5

ORDER

Read this order in continuation of and in conjunction with order dated 05.06.2024 that reads as follows:

WMP No.15949 of 2024 filed seeking permission to file a single Writ Petition is ordered on payment of separate Court fee.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader accepts notice for R1 to R3 and is handed over a copy of the Writ Petition and its annexures from the Court bundle under acknowledgement. He seeks some time to obtain instructions and file a counter.

3. Notice through Court as well as privately to R4 to R6, returnable 08.07.2024. Proof of service be placed on file.

4. The impugned order has been passed interfering with the rights of the petitioner in regard to the property at S.Nos.393/1B1, 393/1B4A and 393/1B5, Selampalayam Village, Dharapuram Taluk, Tiruppur District, prima facie, without hearing the petitioner.

5. In light of the prima facie indication of violation of principles



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of natural justice, there shall be an interim stay, effective till the next date of hearing.

6. List on 08.07.2024. Written instructions/counter by then with an advance copy served upon the petitioner.

2. Today, Mr.Vadivelu Deenadayalan, learned Additional Government Pleader appearing for R1 to R3 would accede fairly to the position that the petitioners have, indeed, not been heard prior to the passing of the impugned order.

3. Hence and in light of the above admitted position, impugned order dated 15.05.2024 is set aside, to be re-done afresh in accordance with law and in line with the principles of natural justice, after hearing the petitioner as well as the private respondents. Let this exercise be completed de novo within a period of eight (8) weeks from date of receipt of a copy of this order.

4. This Writ petition stands disposed in terms of this order. No costs. Connected Miscellaneous Petitions are closed.

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Index:Yes/No
Speaking order:Yes
Neutral Citation:Yes

08.07.2024



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To
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Office of Revenue Divisional Officer
Dharapuram
Tiruppur District.
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Dr.ANITA SUMANTH,J.
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