



W.P.No.28763 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated :07.11.2024

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.28763 of 2024

and

W.M.P.No.31377 of 2024

B.Karthikeyan

... Petitioner

Vs

1. The District Revenue Officer,
Chennai District,
Singaravelan Maligai,
Rajaji Salai,
Chennai 600 001.

2. The Revenue Divisional Officer,
Chennai 600 001.

3. The Tahsildar,
Mambalam Taluk,
Bharathidasan Road,
60 Feet Road,
West Jaffer Khanpet,
Chennai 600 086

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of



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India seeking to issue a Writ of Certiorari calling for the records connected with the order Na.Ka.No.J5(J8)/8650/2021 dated 30.04.2024 passed by the 1st respondent and quash the same.

For Petitioner : M/s. L.Senthil Kumar
for D. Vinodhini

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 & R2

ORDER

The petitioner seeks to quash the order passed by the 1st respondent in her proceedings No. Na.Ka.No.J5(J8)/8650/2021 dated 30.04.2024.

2. A preliminary objection that has been raised by the learned counsel for the petitioner is that the enquiry had been conducted by one officer whereas the orders have been pronounced by another Officer, who neither conducted any enquiry nor heard the parties. Therefore, he would submit that the order passed by the Officer

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violates the principles of natural justice.

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3. Considering the preliminary objection, I do not propose to go into the merits of the case. Suffice it to state that since the Officer who has now passed the order has not conducted an enquiry or heard the parties to the proceedings, which is evident from a perusal of the impugned order, the order suffers from the vice of the violation of the principles of natural justice. Therefore, the writ petition is allowed. The impugned order is set aside and the matter is remitted back to the 1st respondent for fresh consideration. The 1st respondent shall issue notice to both parties and dispose of the case, within a period of 3 months from the date of receipt of a copy of this order, on merits and in accordance with law. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

07.11.2024



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Index: Yes/No

srn

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P.T.ASHA, J.,

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