



W.P(MD)No.767 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.767 of 2022

and

W.M.P(MD)No.606 of 2022

S.Salim Sait

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Aruppukkottai Revenue Division,
Aruppukkottai,
Virudhunagar District.

2.The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

3.The President,
Muhaideen Andavar Jum Ah Masque,
Kariapatti – 626 106,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus, to call for



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the records on the file of the first respondent in connection with the impugned proceedings passed by him in Na.Ka.Aa/8504/2021 dated 14.12.2021 and quash the same as illegal, arbitrary and violation of principles of natural justice and consequently direct him to restore the house site assignment issued by the third respondent vide his proceedings in HSD.839/1430 dated 05.10.2020 for the property in Natham Survey No.32/19, to an extent of 0.01.81 Areas situated at Kariyapatti Village, Kariyapatti Taluk, Virudhunagar District within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.T.Villavan Kothai
Additional Government Pleader
for R.1 & R.2

Ms.V.Sebastian Preethi for R.3

ORDER

Heard both sides.

2.The assignment made in favor of the writ petitioner was cancelled by the first respondent on 14.12.2021. It appears that the third respondent gave a complaint. The petitioner was not put on notice. Since the petitioner's valuable rights are involved, without complying



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with the principles of natural justice, cancellation order could not have been passed.

3.On this sole ground, the order impugned in this writ petition is set aside. This writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

22.04.2024

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

SKM

To

1.The Revenue Divisional Officer,
Aruppukkottai Revenue Division,
Aruppukkottai,
Virudhunagar District.

2.The Tahsildar,
Kariyapatti Taluk,
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G.R.SWAMINATHAN, J.

SKM

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