



W.P(MD)No.6330 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.6330 of 2021

and

W.M.P(MD)Nos.4929, 4930 and 4931 of 2021

G.Raji

: Petitioner

Vs.

- 1.The Collector,
Madurai District, Madurai 625 020.
- 2.The District Revenue Officer,
Madurai District, Madurai – 625 020.
- 3.The Revenue Divisional Officer,
Madurai – 625 020.
- 4.The Special Tahsildar (SSS)
Madurai North Taluk,
Madurai District, Madurai 625 020.
- 5.The Joint Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple,
Madurai 625 001.
- 6.Ramayee Ayeeyar
- 7.Senthamizhselvi
- 8.Prema



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9.Rajkumar

10.Muthurani

11.Rajendran

12.Kuzhandhaiya

13.Pushparaj

14.Jothi

15.Geetha

: 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 the entire records pertaining to issuance of Patta (Certificate extract for Town Survey Land Register), dated 13.08.2018 to the respondents 6 to 15 passed by the Special Tahsildar (SSS) Madurai North Taluk, Madurai District for lands in Survey No.4795/1, Block No.38, Municipal Door No.5, Hakkik Ajmal Khan Road, Chokkikulam, Madurai 625 002 to an extent of 2 Acres 15 cents situated within the limits of Madurai City Corporation in ward No.10 and quash the same and consequently, direct the District Revenue Officer, Madurai to conduct and Enquiry, after giving notice to al the stakeholders/parties and pass orders for issuance of patta for the above said land within the stipulated period by following the principles of natural justice.

For Petitioner : Mr.C.Umashankar

For Respondents : Mr.V.Om Prakash,
Government Advocate for R1 to R4.



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: Mr.V.R.Shanmuganathan, for R5.

: Mr.G.Thalai Mutharasu, for R6 to R15.

ORDER

This Writ Petition is directed against the order of the fourth respondent issuing patta in favour of the respondents 6 to 15.

2. It is not in dispute that the second respondent in the revision filed by the petitioner has passed an order, dated 10.03.2017, by observing that a thorough enquiry regarding entitlement could have been conducted in the long run, giving due opportunities to all concerned and the order of Tahsildar suffers infirmity in the eyes of principles of natural justice and that the verdict appears to be premature and the curtains of the SDM Court appears to have been drawn hastily to end the case, directed the Sub Divisional Magistrate to conduct denova enquiry, giving opportunities to all stakeholders and pass appropriate orders on merits.

3. When the writ petition is pending, the third respondent has passed an order violating the stay order granted by this Court and taking note of the same, the first respondent was directed to file a report. In pursuance of the same, the



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first respondent has filed a report stating that since the case is now referred to the District Revenue Officer, Madurai for hearing as revision petition, the prayer of the writ petitioner seeking that the District Revenue Officer, Madurai should conduct an enquiry in this case will be met and necessary orders to be passed by the District Revenue Officer on merits. In the report submitted to the second respondent by the third respondent, it has been specifically mentioned that in the revision joint enquiry has to be conducted with the second respondent, the fifth respondent temple and the private respondents 6 to 15 and to pass order in accordance with law.

4. When the matter is taken up for hearing today, the learned counsel for the petitioner, the learned Government Advocate appearing for the State and the learned counsel appearing for the private respondents 6 to 15 would submit that the District Revenue Officer may be directed to conduct enquiry afresh by giving notice to all the parties.

5. In view of the above, the District Revenue Officer, Madurai is directed to conduct enquiry afresh and complete the same and pass orders in accordance with law within a period of eight weeks from the date of receipt of copy of this order.



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6. With the above directions, the Writ Petition is disposed of.
Consequently, connected Miscellaneous Petitions are closed. No costs.

01.07.2024

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

To

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K.MURALI SHANKAR, J

DAS

Order made in
W.P(MD)No.6330 of 2021
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Dated : 01.07.2024