



W.P(MD)No.5893 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5893 of 2024

and

W.M.P(MD)Nos.5548 to 4450 of 2024

Vajreshwari

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Illupur,
Pudukkottai District.

2.The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.

3.Saravanan

4.R.Logaiah

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the first respondent in Na.Ka./A3/3191/2023 dated 06.11.2023 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis, as null and void and consequently directing the respondents 1 and 2 to restore the patta infavour of the petitioner in connection with property



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comprised in Survey No. 139/2A to an extent of 0.40.50 Ares situated at Vadukapatti Village, Viralimalai, Illupur Taluk, Pudukkottai District.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 & R.2

Mr.R.Paranjothi
for M/s.KBS Law Office for R.3

Mr.S.T.Sasidharan Tamilkani for R.4

ORDER

Heard both sides.

2.The impugned order is set aside one on the sole ground of violation of principles of natural justice. Patta stood in the name of the petitioner herein, namely, Vajreshwari. By the impugned order, the extend of the petitioner's land has been reduced from 0.40.5 HAC to 0.29.5 HAC. Such a reduction could not have been made without putting the petitioner on notice.

3.Therefore, the matter is remitted to the file of the first respondent. The first respondent will issue fresh notice to the petitioner



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as well as the private respondents and other stakeholders if any and pass an order afresh on merits and in accordance with law. This exercise shall be completed by the first respondent within a period of three months from the date of receipt of a copy of this order.

4.This writ petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

24.07.2024

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

To

1.The Revenue Divisional Officer,
Illupur,
Pudukkottai District.

2.The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.



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G.R.SWAMINATHAN,J.

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