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W.P.(MD)NO.10560 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10560 of 2024 AND
W.M.P.(MD)Nos.9484 & 9486 of 2024

S.Jebakumar

... Petitioner

Vs.

1. The District Revenue Officer,
Dindigul, Dindigul District.

2. The Revenue Divisional Officer,
Dindigul, Dindigul District.

3. The Tahsildar,
Nilakottai,
Dindigul District.

4. P.Poondi

5. S.Paulraj

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order passed by the second respondent in Na.Ka.No.6523/2022/Aa4, dated 26.12.2023 and quash the same and consequently direct the second respondent to conduct a fresh enquiry based on all relevant and necessary documents and in



accordance with the principles of natural justice within a time frame that may be stipulated by this Court.

For Petitioner : Mr.R.Paranjothi
For R-1 to R-3 : Mr.K.Balasubramanian,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the official respondents.

2. Issuance of notice to the private respondents is dispensed with.

3. The case on hand involves the allegation that there is an UDR error. If that be so, it is only the District Revenue Officer who can decide the issue. The Revenue Divisional Officer, Dindigul cannot go into the matter.

4. For want of jurisdiction, the impugned order has to be set



aside. The petitioner is given liberty to file a fresh petition before the first respondent. The first respondent will decide the matter independently.

Without taking note of the findings set out in the impugned order, the first respondent will issue notice not only to the private respondents but also to the other stake holders, if any. Final order will be passed by the first respondent within a period of twelve weeks from the date of receipt of fresh application from the petitioner. With this liberty to the petitioner and with the aforesaid direction to the first respondent and without going into the merits of the matter, the impugned order is set aside. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

05.06.2024

Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The District Revenue Officer,
Dindigul, Dindigul District.
2. The Revenue Divisional Officer,
Dindigul, Dindigul District.
3. The Tahsildar,
Nilakottai, Dindigul District.



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G.R.SWAMINATHAN,J.

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