



W.P(MD)No.12088 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.12088 of 2021

and

W.M.P.(MD)No.9502 of 2021

Ravichandran

... Petitioner

Vs.

1. The District Collector,
Madurai District.
Madurai.

2. The District Revenue Officer,
Collectorate.
Madurai.

3. The Revenue Divisional Officer,
Usilampatti,
Madurai District.

4. The Tahsildar,
Thirumangalam Taluk,
Madurai District.

5. Selvaraj

... Respondents



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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 records pertaining to the order passed by the second respondent in நி.மு.எண்.52974/2019/ஐ5 dated 13.02.2021 and quash it as illegal in pursuance to property mentioned in the Registered partition deed executed in Document No.1989 of 2020 on the file of Sub Registrar, Sekkanurani.

For Petitioner : Mr.K.K.Samy
For R1 to R4 : Mr.M.Prakash
Additional Government Pleader
For R5 : Mr.M.Ramu

ORDER

The Writ Petition is directed against the order passed by the second respondent dated 13.02.2021.

2. When the matter is taken up for hearing today, the learned counsel on either side would submit that in the connected writ petitions in W.P.(MD)Nos.11455 to 11457 and 11503 of 2021, which were filed challenging the impugned order dated 13.02.2021, a learned Judge of this Court, vide common order dated 02.02.2023, has allowed the writ petitions and remitted the matter back to the second respondent to hold



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proper enquiry and pass orders afresh on merits and in accordance with law and directed the second respondent to comply with the principles of natural justice.

3. The learned Additional Government Pleader appearing for the respondents 1 to 4 would further submit that in pursuance of the said direction, the second respondent has already issued enquiry notice dated 09.02.2024 to all the parties including the writ petitioner and also produced the copy of the enquiry notice.

4. The learned counsel appearing for the writ petitioner on instructions would submit that the writ petitioner has not been served with the enquiry notice. But the learned Additional Government Pleader has handed over the copy of the enquiry notice scheduled on 05.04.2024

5. In view of the above, the impugned order dated 13.02.2021 as against the writ petitioner is set aside and the matter is remitted back to the second respondent for conducting enquiry afresh and pass orders in accordance with law, as directed in the other writ petitions.



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6. With the above direction, this Writ Petition is allowed.

Consequently, connected Miscellaneous Petition is closed. No costs.

03.04.2024

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

To

1. The District Collector,
Madurai District.
Madurai.
2. The District Revenue Officer,
Collectorate.
Madurai.
3. The Revenue Divisional Officer,
Usilampatti,
Madurai District.
4. The Tahsildar,
Thirumangalam Taluk,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.12088 of 2021
and
W.M.P.(MD)No.9502 of 2021

Dated : 03.04.2024