



W.P.(MD) No.18779 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.18779 of 2022

and

W.M.P(MD)Nos.13695 of 2022 and 18346 of 2024

Rajkumar

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Kamuthi Taluk,
Ramanathapuram District.

3.Mr.Kamesh Mahadevan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records in the impugned proceedings of the 1st respondent in Pa.Mu.Aa6/464/2021 dated 15.07.2022 and quash the same as illegal and



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violation of Natural justice and consequently forbearing the 2nd respondent from transferring the patta in favour of the third respondent.

For Petitioner	:	Mr.K.Muraleedharan
For R1 and R2	:	Mr.P.Thambidurai Government Advocate
For R3	:	Left (Tapal Returned)

ORDER

This Writ Petition is filed challenging the impugned order passed by the first respondent in Pa.Mu.Aa6/464/2021 dated 15.07.2022 and to quash the same and consequently, to forbear the second respondent from transferring the patta in favour of the third respondent.

2.The grievance of the petitioner is that the impugned order was passed by the first respondent without notice to the petitioner, which is in violation of the principles of natural justice.

3.It is also informed that the suit in O.S.No.44 of 2022 has been instituted by the petitioner herein against the third respondent for injunction.



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4.The learned counsel for the petitioner submitted that an application to amend the plaint to include the relief of declaration has also been filed.

5.In view of the above, the impugned order dated 15.07.2022 passed by the first respondent is set aside and accordingly, the second respondent is directed to re-issue the patta in the name of the petitioner, subject to the outcome of the suit.

6.With the above direction, this writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

19.09.2024

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



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P.T.ASHA, J.

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To

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W.P.(MD) No.23746 of 2017

Dated: 19.09.2024