



W.P(MD)No.19061 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2024

CORAM :

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P(MD)No.19061 of 2024

and

W.M.P(MD)Nos.16138 and 16140 of 2024

P.S.M.Ahamed Abdul Kadir

... Petitioner

Vs

**1. The District Revenue Officer,
Ramanathapuram.**

**2. The Revenue Divisional Officer,
Ramanathapuram.**

**3. The Tahsildar,
Keelakkarai Taluk,
Ramanathapuram District.**

4. Mohaideen Abdul Kathar

5. Sehu Yusuf Nachiyar

6. Musthafa

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the



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records relating to the impugned order, dated 26.09.2023 in A1/2579/2023 passed by the second respondent and quash the same.

For Petitioner : Mr.J. Barathan
For R1 to R3 : Mr.B.Saravanan
Additional Government Pleader
For R6 : Mr.S.M.A.Jinna
For R4 & R5 : No Appearance

ORDER

This writ petition has been filed seeking to quash the impugned order, dated 26.09.2023 in A1/2579/2023 passed by the second respondent.

2.The grievance of the petitioner is that the impugned order has been passed on the strength of the orders passed in W.P(MD)No.8290 of 2024 filed by the respondents 4 and 5 through the power agent/sixth respondent seeking a mandamus directing the District Collector, Ramanathapuram and the second respondent to take action against the third respondent for not conducting proper enquiry for the transfer of patta and to direct him to change the patta after conducting proper enquiry. A mandamus was issued by orders of this Court, dated



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02.04.2024, however, no notice was issued to the petitioner though the patta stands in the name of the petitioner, without notice the patta has been cancelled by the impugned order. The petitioner has not even been heard before the cancellation. Therefore, the petitioner has come forward with the writ petition seeking to quash the impugned order.

3. Admittedly, the impugned order has been passed without issuing notice to the petitioner and without hearing him. Therefore, in the light of the violation of principles of natural justice, this writ petition is allowed. No costs. Accordingly, the impugned order is set aside and the patta, which has been cancelled will revert back prior to the date of the impugned order.

4. Consequently, the connected miscellaneous petitions are closed.

28.08.2024

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

LR



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To

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Ramanathapuram.
2. The Revenue Divisional Officer,
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3. The Tahsildar,
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P.T.ASHA, J.

LR

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