



W.P.(MD) No.23861 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.23861 of 2016

and

W.M.P.(MD) Nos.17198 to 17200 of 2016

J.Soundrarajan

.. Petitioner

Vs.

- 1.The District Revenue Officer,
O/o. The District Revenue Office,
Dindigul, Dindigul District.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Kodaikanal, Dindigul District.
- 3.The Tahsildar,
O/o. The Tahsildar Office,
Kodaikanal, Dindigul District.
- 4.The Taluk Head Surveyor,
Land Survey Section,
O/o. The Tahsildar Office,
Kodaikanal, Dindigul District.
- 5.Thiyagarajan Sakthivelu,
Rep., by his General Power of Attorney,
A.T.Maria Soosai Ashokan.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent in his proceedings in X.K.vz;.7343/2012/M6 dated 18.09.2014 and confirming the order passed by the second respondent in his proceedings in e.f.vz;.1998/2011/m2 dated 09.02.2012 and quash the same as illegal and consequentially to direct the fourth respondent to re-survey the land and re-fix the boundaries in Survey No.150/2 in Patta No.858 situated at Kodaikanal Village and Taluk, Kodaikanal, Dindigul District after issuing proper notice to the petitioner in terms of Section 9(2) of the Tamil Nadu Survey and Boundaries Act, 1923 within the period that may be stipulated by this Court.

For Petitioner	:	Mr.V.Karthick Raja for M/s.Ajmal Associates
For R1 to R4	:	Mr.D.S.Nedunchezian Government Advocate
For R5	:	No appearance

ORDER

Though the fifth respondent has been served, none had appeared on behalf of the fifth respondent, when the matter was listed on 14.08.2024. Therefore, this Court has listed the matter 'for orders' today. Once again there is no representation on behalf of the fifth respondent.



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2. Heard both counsels.

3. It is an admitted fact that orders have been pronounced by the second respondent on the appeal filed by the petitioner without notice. Even the first respondent has not taken into account the same and has by a one line order, directed the petitioner to approach the civil Court. Therefore, this Writ Petition is allowed, the impugned order is set aside and the matter is remitted back to the District Revenue Officer to consider afresh the revision filed by the petitioner. The first respondent shall issue notice to the petitioner and the fifth respondent, hear both sides and pass a detailed speaking order within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petitions are closed.

29.08.2024

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

abr



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P.T.ASHA, J.

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