



W.A(MD) No.1718 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 26.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD) No.1718 of 2025
and
C.M.P.(MD)Nos.9576 & 9577 of 2025**

1.Mohaideen Abdul Kathar

2.Sehu Yusuf Nachiyar

Both are representing through their power agent

S.Musthafa

S/o.Moideen Abdul Kathar,

14-77, Esathan Mel Street,

Keelakarai Village,

Ramanathapuram District.

... Respondents 4, 5 & 6 / Appellants

Vs.

1.P.S.M.Ahamed Abdul Kadir

... Petitioner / Respondent

2.The District Revenue Officer,
Ramanathapuram.

3.The Revenue Divisional Officer,
Ramanathapuram District.

4.The Tahsildar,
Keelakarai Taluk,

Ramanathapuram District.

... Respondents 1 to 3 / Respondents

1/5



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to allow the writ appeal by setting aside the order in W.P. (MD)No.19061 of 2024, dated 28.08.2024 on the file of this Court.

For Appellants : Mr.SMA.Jinnah

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R2 to R4

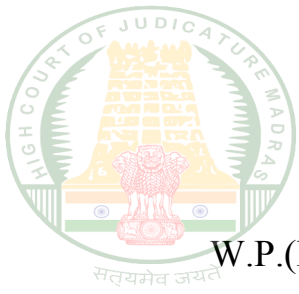
: Mr.J.Barathan
for R1

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The Revenue Divisional Officer, Ramanathapuram passed an order dated 26.09.2023 which was to the prejudice of the first respondent herein. Therefore, the said order was passed without notice to the first respondent. Therefore, the learned single Judge rightly set aside the same at the instance of the first respondent vide order dated 28.08.2024 in



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W.P.(MD)No.19061 of 2024. While allowing the writ petition, the learned single Judge directed that patta which had been cancelled will revert back to the position that prevailed prior to the date of the impugned order. Aggrieved by the said direction, this writ appeal has been filed.

3. The learned single Judge set aside the order of the Revenue Divisional Officer on the ground of violation of principles of natural justice. After setting aside the same, consequential direction must be to remand the matter to the very same authority for fresh disposal in accordance with law.

4. We therefore set aside that portion of the order of the learned single Judge which directs restoration of the original position. The matter is remitted to the file of the Revenue Divisional Officer, Ramanathapuram for conducting fresh enquiry. The Revenue Divisional Officer, Ramanathapuram is directed to conclude enquiry after issuing notice to all the concerned parties within a period of three months from the date of receipt of a copy of this order. We have not gone into the



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merits of the matter.

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5. The writ appeal is partly allowed accordingly. No costs.

Consequently, connected miscellaneous petitions are closed.

(G.R.S., J.) (K.R.S., J.)
26.06.2025

rmi

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

rmi

To

- 1.The District Revenue Officer,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
Ramanathapuram District.
- 3.The Tahsildar,
Keelakarai Taluk,
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