



W.P.(MD)No.3761 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3761 of 2025

and

W.M.P(MD)No.2703 of 2025

T.Alagar

.... Petitioner

/Vs./

1.The District Revenue Officer,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur,
Madurai District.

3.The Tahsildar,
Madurai South,
Madurai District.

4.V.Karuppaiah

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the first respondent by his proceedings in நி.மு.எண்.55732/2021/ஐ5 dated 02.01.2025 and set aside the same as illegal and restore the same as earlier.



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For Petitioner : Mr.M.Jegadeesha Pandian

For R1 to R3 : Mr.C.Satheesh
Government Advocate

ORDER

The petitioner challenges the order passed by the first respondent in Nee.Mu.No.55732/2021/G5, dated 02.01.2025.

2. Though the petitioner has also raised several grounds touching the merits of the impugned order, on the limited ground that the petitioner has not been put on notice before the impugned order was passed warrants an interference with the said order on the ground of violation of principles of natural justice.

3. On a perusal of the impugned order, it is seen that admittedly, no notice sent or opportunity given to the writ petitioner or even the writ petitioner's vendor. Further, this Court in W.P(MD)No.4569 of 2022 by an order, dated 09.08.2024 set aside the District Registrar's order cancelling the sale deed in favour of the petitioner. In such view of



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the matter, the petitioner was certainly an interested person, who was entitled to be heard before the impugned order came to be passed. On this limited ground, the impugned order is liable to be set aside.

4. In fine, the impugned order, dated 02.01.2025 is set aside and the matter is remitted to the first respondent for fresh consideration of the application of Mr.Karuppaiah, dated 21.11.2021, after putting all interested parties on notice, and after conducting an inquiry, the first respondent shall pass orders in accordance with law and on merits after considering the claims and objections of the respective parties. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

am

Order made in
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12.02.2025