



W.P.(MD)No.4147 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **P.B.BALAJI**

W.P.(MD)No.4147 of 2025

and

W.M.P.(MD)Nos.2993, 2994, 5735 and 5736 of 2025

Arunachalam

... Petitioner

vs.

1.The District Collector, Sivagangai.

2.The District Revenue Officer, Sivagangai.

3.The Revenue Divisional Officer, Sivagangai.

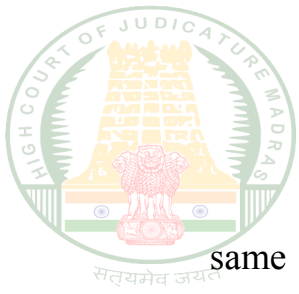
4.The Tahsildar,
Karaikudi Taluk, Sivagangai District.

5.The Revenue Divisional Officer,
Devakottai, Sivagangai District.

... Respondents

(R5 is *suo motu* impleaded vide order of this Court, dated 01.04.2025)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to proceedings of the 3rd respondent dated .04.2008 in Na.Ka.A3/10631/2006 and the impugned proceedings of the 4th respondent, dated 18.12.2024 in Na.Ka.A6/5833/2024 and quash the



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same and direct the respondents to issue patta to the petitioner for the lands in S.Nos.412/1 and 412/2, Thiruvelankudi Village, Karaikudi Taluk, Sivagangai District.

For Petitioner :Mr.V.R.Shanmuganathan
For Respondents :Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard Mr.V.R.Shanmuganathan, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader for the respondents.

2.The petitioner challenges the order of the third and fourth respondents in Na.Ka.A3/10631/2006 dated -.04.2008 and in Na.Ka.A6/5833/2024, dated 18.12.2024 , respectively, and consequently, seeks issuance of patta in respect of S.Nos.412/1 and 412/2 Thiruvelankudi Village, Karaikudi Taluk, Sivagangai District.

3.The primordial grievance of the Writ Petitioner is that no notice was issued to the Writ Petitioner before passing the impugned order and there has been violation of principles of fair play and equity.



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4.The learned Counsel for the petitioner would take me through the impugned proceedings to fortify his contention that there is no reference to any enquiry conducted or fair or reasonable opportunity afforded to the Writ Petitioner before the orders came to be passed, which are impugned in the present Writ Petition. He would further contend that the petitioner had already purchased the subject lands even on 22.03.2007 and the petitioner's vendor also purchased the subject property on 10.03.2005 and despite mutation of revenue records, no notice was given to the Writ Petitioner.

5.The learned Counsel for the petitioner would submit that subsequent to filing of this Writ Petition, the orders came to be passed by the Revenue Divisional Officer, Devakottai, Sivagangai District, who has not been impleaded, as a party respondent in the Writ Petition.

6.In view of the same, the Revenue Divisional Officer, Devakottai, Sivagangai District, is *suo motu* impleaded as 5th respondent in the Writ Petition.



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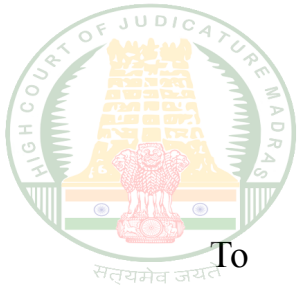
7.It is clear from the orders impugned in the present Writ Petition that the petitioner was not given any notice of enquiry. In view of the above and on this limited ground, the impugned orders are set aside and the matter is remitted to the fifth respondent for fresh consideration and after hearing the parties interested including the petitioner, shall pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

8.With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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

01.04.2025

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P.B.BALAJI, J.

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