



W.P.(MD)No.8028 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 24.04.2025

CORAM

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

W.P.(MD)No.8028 of 2025

and

W.M.P.(MD)Nos.6059 and 6060 of 2025

T.Villavan Kothai

... Petitioner

vs.

The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records relating to the impugned order of the respondent in Pa.Mu.No.3351/2024/B, dated 25.01.2025 and to quash the same in so far as directing criminal prosecution against the petitioner is concerned.

For Petitioner :Mr.S.Srinivasa Raghavan

For Respondent :Mr.M.Lingadurai

Special Government Pleader



W.P.(MD)No.8028 of 2025

WEB COPY

ORDER

Heard Mr.S.Srinivasa Raghavan learned Counsel for the petitioner and Mr.M.Lingadurai learned Special Government Pleader for the respondents.

2.The petitioner challenges the order of the respondent in Pa.Mu.No. 3351/2024/B dated 25.01.2025.

3.The petitioner is a power agent of B.Devaki and B.Gandhi under a registered power of attorney, dated 28.09.1991 in respect of lands comprised in S.No.60/2. The said power of attorney was given to the petitioner for obtaining approval of layout and also for sale of plots. In furtherance of the said power of attorney, the petitioner has also obtained layout approval in D.T.P.No.539/1992 and plots have also been sold in the said layout. While the matters stood there, after the lapse of 35 years, the respondents have passed the impugned order, cancelling the patta and also directing criminal prosecution to be initiated against the petitioner for land grabbing and cheating the Government as well as the public.



W.P.(MD)No.8028 of 2025

Challenging the said order, the present Writ Petition has been filed.

WEB COPY

4. Admittedly, the said order came to be passed not only belatedly, but also without any prior notice to the petitioner, who happens to be only a power of attorney agent of disclosed principals.

5. In the light of the above, the impugned order cannot be sustained and accordingly, the impugned order, dated 25.01.2025 set aside. The Writ Petition is allowed, leaving it open to the authorities, if deemed fit necessary, to initiate fresh proceedings in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

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

24.04.2025

cmr

To

The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai.

3/4



WEB COPY



W.P.(MD)No.8028 of 2025

P.B.BALAJI, J.

cmr

W.P.(MD)No.8028 of 2025

24.04.2025