



W.P.(MD)No.8518 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

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THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.8518 of 2025

and

W.M.P.(MD)No.6377 of 2025

Dr.Hu Chin Cheung

: Petitioner

Vs.

1. The District Revenue Officer,
District Revenue Office,
Dindigul Taluk(East),
Dindigul.

2. The Revenue Divisional Officer,
The Revenue Divisional Office,
Dindigul Taluk(East),
Dindigul.

3. The Tahsildar,
Dindigul Taluk(East),
Dindigul.

4. The Firka Surveyor,
Dindigul Taluk(East),
Balakrishnapuram Village,
Dindigul.

: Respondents



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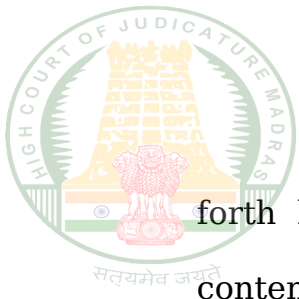
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorified Mandamus to calling for the records pertaining to the impugned order Na.Ka.No. 5746/2023/F dated 08.01.2025 passed by the 3rd Respondent and quash the same as illegal, arbitrary and consequently direct the respondent to issue the separate patta in petitioner's favour for the said landed property measuring to the extend of 9600 sq.ft in plots No.46,49,50 and 51 Comprised in Survey No.758 situated at Balakrishnapuram Village, Dindigul East Taluk, Dindigul District by considering the representation dated 10.06.2023.

For Petitioner : Mr.S.Harish
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner challenges the order of the third respondent in Na.Ka.No. 5746/2023/F dated 08.01.2025.

2.The grievance of the petitioner is that the impugned order came to be passed only pursuant to contempt proceedings initiated by the writ petitioner for disobedience of the order in W.P. (MD)No.18956 of 2023 dated 04.08.2023. He would further submit that the petitioner was not given any notice or any opportunity to put



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forth his contention and hastily, in view of the pendency of the contempt petition, the impugned order came to be passed. Counsel for the petitioner would further submit that even reference to the civil suit in the impugned order does not pertain to the Writ Petition or the property which is subject matter of the Writ Petition.

3.On perusal of the impugned order, it is clear that the order came to be passed without hearing the petitioner. I do not find any notice also issued prior to the passing of the order. Therefore, for this limited ground, I am inclined to set aside the order dated 08.01.2025.

4.Accordingly, the Writ Petition is allowed, impugned order dated 08.01.2025, is set aside and the matter is remitted to the third respondent to hear the petitioner and any other interested parties and pass final orders thereafter, within a period of eight [8] weeks from the date of receipt of a copy of this order. There shall be no order as to cost. Consequently, the connected miscellaneous petition is closed.

27.03.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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P.B.BALAJI., J.

MR

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