



W.A(MD)No.869 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.A(MD)No.869 of 2023
and
C.M.P(MD)No.7012 of 2023**

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The District Revenue Officer,
Trichy District,
Trichy.
- 3.The Revenue Divisional Officer,
Trichy, richy District.
- 4.The Tahsildar,
Thiruverambur Taluk,
Trichy.
- 5.The Tahsildar,
Trichy West Taluk,
Trichy District.
- 6.The Village Administrative Officer,
Thiruverambur Village,
Trichy.

... Appellants/Respondents



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vs.

S.Rathinavelu

... Respondent/Writ Petitioner

PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 13.07.2022 made in W.P(MD)No.23493 of 2019.

For Appellants : Mr.S.S.Madhavan
Additional Government Pleader

For Respondent : Mrs.J.Anandhavalli

JUDGMENT

(Judgment of the Court was delivered by J. NISHA BANU, J.)

The present Writ Appeal is directed against the order passed by the Writ Court dated 13.07.2022 made in W.P(MD)No.23493 of 2019.

2.Heard the learned Additional Government Pleader appearing for the appellants and the learned counsel appearing for the respondent.



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3.The order is challenging the Judgment of the learned Single Judge of this Court, wherein, the learned Single Judge observed that the Revenue Divisional Officer's order had merged with the order passed by the District Collector. Since the District Revenue Officer is subordinate to the District Collector, she could have only referred the matter to the District Collector. She could not have on her own set aside the proceedings of the third respondent and the learned Single Judge allowed the Writ Petition, by setting aside the order impugned dated 28.08.2019 and directed to implement the order passed by the third respondent. Challenging the same, the present Writ Appeal has been filed.

4.The learned Additional Government Pleader appearing for the appellants would submit that it was from the directions of the District Collector, the enquiry was conducted.

5.Taking into consideration, the entire scenario of the matter, the matter is referred back to the District Collector, Trichy and the District Collector, Trichy shall give opportunity to the petitioner and other interested parties and pass appropriate orders, on merits and in accordance with law, within a period of



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four weeks from the date of receipt of a copy of this order. It is made clear that the District Collector, Trichy shall pass orders and the District Collector shall not delegate the matter to any other officials.

6. With the above directions, this Writ Appeal is disposed of. There shall be no as to costs. Consequently, connected Miscellaneous Petition is closed.

[J.N.B.,J.] & [S.S.Y.,J.]
20.02.2025

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



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ORDER MADE IN
W.A(MD)No.869 of 2023

DATED : 20.02.2025