



WP(MD). Nos.961 and 1919 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 20/06/2025

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE Mrs. JUSTICE S.SRIMATHY

W.P.(MD)Nos.961 and 1919 of 2019

and WMP(MD) Nos780, 781 1578 & 1579 of 2019

M.Seethammal
S/o.Malayalam
No.16 AKC Colony
Chinnanandan Koil Road
Karur District

... Petitioner in
W.P.No.961/2019

R.Marudhambal
W/o.M.Ramasamy
255 Thirukampuliyar
LNS Post, Karur – 02.

... Petitioner in
W.P.No.1919/2019

Vs

1.The District Collector
Karur District, Karur.

2.The Revenue Divisional Officer,
Karur, Karur District

3.The Commissioner
Karur Municipality, Karur.

4.The Tahsildar
Karur District, Karur.

... Respondents in
both petitions

PRAYER in WP(MD) No.961/2019:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of



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Certiorari to call for the records relating to the impugned order made by the 2nd respondent in Na.Ka.A2/6059/2017 dated 04.12.2018 and the consequential impugned order made by the 3rd respondent in Na.ka.No. 10478/2015/F2 dated 20.12.2018 quash the same insofar as petitioner is concerned.

PRAYER in WP(MD) No.1919/2019:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the impugned order made by the 2nd respondent in Na.Ka.A2/6059/2017 dated 04.12.2018 and the consequential impugned order made by the 3rd respondent in Na.ka.No. 10478/2015/F2 dated 20.12.2018 quash the same as illegal.

For Petitioners : M/s.H.Jesima Yasmin for
M/s.Ajmal Associates

For Respondents :Mr.S.P.Maharajan for R1, R2 and R4
Special Government Pleader
Mr.K.Balasubramani for R3

COMMON ORDER

(Order of the Court was made by the Hon'ble the Chief Justice)

Petitioners are impugning a notice dated 04.12.2018 passed by the Revenue Divisional Officer/R2 cancelling the patta and thereafter directing the authorities to evict the petitioners.

2. Ms.H.Jesima Yasmin states that the order and the consequential order dated 20.12.2018 have been passed without even giving essential show cause notice, left alone giving a personal hearing.



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3. In the affidavit in reply filed, there is no denial.

Mr.S.P.Maharajan was also candid to admit that no notice was given. At the same time, he states that this was done in view of an order passed by this Court in a contempt petition that was filed by one Amirthalingam. Counsel states that contempt petition is also referred to in the letter.

4. In our view, even if it was pursuant to a judicial order that would not mean that respondents could give a total go by to the principles of natural justice.

5. Therefore, we dispose the petitions with the following directions:

(a) The order dated 20.12.2018 is quashed and set aside;

(b) The communication dated 04.12.2018 shall be treated as a show cause notice and petitioners may submit a reply to concerned authority within two weeks of this order being uploaded;

(c) The concerned authority shall dispose the matter within four weeks of the receiving reply, but before passing order shall give a personal hearing, notice whereof shall be communicated atleast five working days in advance. All the rights and contentions kept open. We



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also clarify that we have not expressed any opinion on the merits of the matter.

There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

(K.R.SHRIRAM, C.J.)

(S.SRIMATHY, J.)

20.06.2025

NCC : Yes/No

Index : Yes/No

RR

To

1.The District Collector

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2.The Revenue Divisional Officer,

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THE HON'BLE CHIEF JUSTICE

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**ORDER
IN**

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