



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :16.06.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.16092 of 2025
and
W.M.P(MD)No.12187 of 2025

1.Inbavalli

2.Tamilarasi

... Petitioners

.Vs.

1.The District Collector,
Madurai.

2.The District Revenue Officer,
Madurai.

3.The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.

4.The Tahsildar,
Usilampatti Taluk,
Madurai District.

5.The Inspector of Police,
Usilampatti Taluk Police Station,
Usilampatti, Madurai District.



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6.The Commissioner,
Usilampatti Municipality,
Usilampatti.

7.Shanmuga Vadivel.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the impugned order passed by the second respondent in Pa.Mu.No.1669/2024/A1, dated 24.4.2025 and to quash the same as illegal.

For Petitioners : Mr.K.R.Laxman

For Respondents : Mr.A.Baskaran
1 to 4 Addl.Govt. Pleader

For Respondent-5 : Mr.M.Vaikkam Karunanithi
Govt.Advocate(Crl.Side)

ORDER

The Writ Petition is filed challenging the order passed by the third respondent, dated 24.4.2025 directing rectification in the Town Survey Register in respect of the property situated in T.S.Nos.2,1,217(Block No.59and 60)Usilampatti Municipality and restoration of revenue records as per the original entry found in the UDR Register.

2.Mr.A.Baskaran, learned Additional Government Pleader



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takes notice for the respondents 1 to 4 and Mr.M.Vaikkam Karunanithi, learned Government Advocate(Crl.Side) takes notice for the fifth respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The 7th respondent herein is none other than the officer who passed the impugned order. Since the impugned order has been passed in violation of the earlier direction issued by this Court, he has been impleaded in his individual capacity and hence, notice to him is dispensed with.

4.The learned counsel for the Petitioner would submit that the impugned order was passed by the third respondent pursuant to the direction issued by this Court in W.P(MD)No.11108 of 2023 directing the first respondent to consider the issue and pass orders. However, against the direction issued by this Court, the third respondent considered the matter and passed the impugned order. Therefore the impugned order is the one which violates the directions of this Court issued in the earlier Writ Petition

5.The learned Additional Government Pleader, who takes notice for the respondents 1 to 4 would submit that in the order passed by this Court in W.P(MD)No.21108 of 2025, the first



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respondent was directed to consider the matter and pass orders.

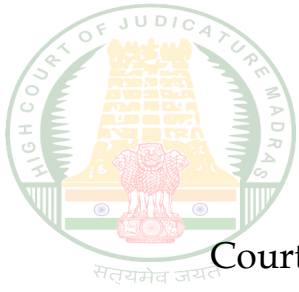
However, the impugned order was passed by the second respondent

6.This Court in W.P(MD)No.21108 of 2025 passed the following order

“4.Considering the nature of the issue involved and the fact that the Police Department is raising certain objections with regard to laying of road, this Court is inclined to refer the matter to the District Collector. The first respondent/District Collector shall conduct an enquiry, by getting a report from the concerned revenue officials and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order, after providing due opportunity of hearing to the parties concerned, including the Petitioners the Municipality and the fifth respondent.”

7.Therefore, this Court had taken a view that the first respondent has to consider the matter. The impugned order was passed by the third respondent and it is a clear violation of of the direction issued by this Court in the earlier Writ Petition. Therefore the impugned order cannot be sustained.

8.Accordingly, this Court is inclined to set aside the impugned order passed by the third respondent and direct the first respondent to comply with the directions issued by this



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Court in the earlier Writ Petition and pass final orders on its own merits after issuing notice to the Petitioner, and other interested parties, as directed in the earlier Writ petition within a period of 12 weeks from the date of receipt of a copy of this order. .

9. With the above directions, the Writ Petition stands allowed. No costs. Consequently connected Miscellaneous Petition is closed.

16.06.2025

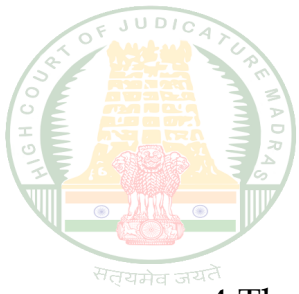
NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

1. The District Collector,
Madurai.
2. The District Revenue Officer,
Madurai.
3. The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.

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4. The Tahsildar,
Usilampatti Taluk,
Madurai District.
5. The Inspector of Police,
Usilampatti Taluk Police Station,
Usilampatti, Madurai District.
6. The Commissioner,
Usilampatti Municipality,
Usilampatti.

S.SOUNTHAR.,J.

vsn

ORDER MADE IN

W.P(MD)No.16092 of 2025
and
W.M.P(MD)No.12187 of 2025



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