

W.P(MD)NO.19035 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.08.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.19035 of 2025
and
W.M.P(MD)No.14585 of 2025

K.Gandhi

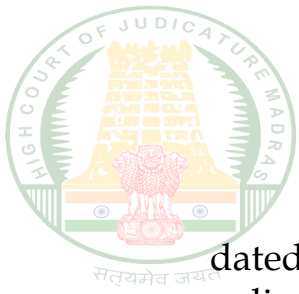
... Petitioner

.Vs.

- 1.The District Collector,
Ramanathapuram District.
- 2.The District Revenue Officer,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
Ramanathapuram District.
- 4.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.
- 5.Subramanian

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the third respondent in Mu.Mu.A5/1915/2015,



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dated 5.3.2025 and quash the same as illegal and consequently for a direction to the respondents to restore the patta in the name of the Petitioner for the lands in S.No.288/110, A Manakudi, Thiruvadanai Taluk, Ramanathapuram District.

For Petitioner : Mr.J.Udhya Kumar

For Respondents : Mr.D.S.Nedunchezian
1 to 4 Govt. Advocate

For Respondent-4 : Mr.B.Vinoth Kumar

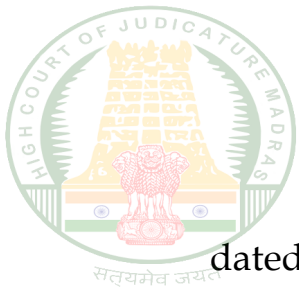
ORDER

The Writ Petition is filed challenging the order passed by the third respondent cancelling the assignment patta issued in favour of Petitioner Gandhi.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The impugned order has been questioned mainly on the ground that the same was passed without issuing notice to the Petitioner.

4.Pursuant to the direction issued by this Court, the learned Government Advocate appearing for the respondents 1 to 4 produced a copy of the enquiry notice issued to the Petitioner,



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dated 27.3.2025. A perusal of the same would indicate that the enquiry notice was issued to the Petitioner's son Thennavan and the same was not issued to the Petitioner. However, in the impugned order, there is a reference about the appearance of Petitioner during enquiry. Therefore the official respondents were directed to produce the original enquiry notice before this Court. A perusal of the original records would indicate that there is no acknowledgment signed by the Petitioner for having received the enquiry notice. Though in the original enquiry notice produced by the respondents, there is an endorsement as if the enquiry notice was sent to the Petitioner, the acknowledgment sent by the Petitioner is not available. Therefore there is nothing on record to suggest that the enquiry notice was served on the Petitioner.

5.In the counter affidavit filed by the private respondents, in para 13, there is a clear admission that the Petitioner did not appear for the enquiry in person and only the Petitioner's son Thennavan appeared for the enquiry. Therefore, in the absence of any acknowledgment signed by the Petitioner for having received the enquiry notice, this Court comes to the conclusion that the enquiry was conducted without issuing proper notice to the Petitioner and she was not afforded with reasonable opportunity.



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6. Therefore, the impugned order is set aside and the Writ Petition is allowed with a direction to the third respondent to consider the matter afresh and pass fresh orders after affording reasonable opportunity to the Petitioner and fifth respondent within a period of 12 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

19.08.2025

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

To

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S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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