



W.P (MD).No.49 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2025

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THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.49 of 2025

S.Gnanathiraviam

.... Petitioner

Vs

1.The Chairman-cum-District Collector,
District Valuation Committee,
Tirunelveli.

2.Additional Inspector of General
Office of the Inspector of General,
Chennai-28.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the Impugned Communication passed by the second respondent in Na.Ka. 24627/L2/2024 dated 20.11.2024 and quash the same and consequently directing the first respondent to constitute the Valuation of the Sub-Committee under the Tamil Nadu Stamp (Constitution of Valuation Committee for Estimation, Publication and Revision of Market Value Guidelines of Properties) Rules, 2010 in order to rectify the errors made in the guideline value of the properties situated in survey Nos.421/2, 3A, 3B, 422/1 to 6, 423/1A, 1B, 426/1B2, 2A3 to 2A6, 2B, 2C, 427/2C, 428/21 to 2K, 429/1E to 1G, 1J, 1I, 1N, 1O, 435/1, 2, 520/2A2, 2A4, 522/1B, 533 and 535 at Karunkulam Village, Radhapuram Taluk, Tirunelveli District on part with the neighboring lands within a time frame fixed by this Court.



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For Petitioner : Mr.RM.Arun Swaminathan
For R1 & R2 : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 20.11.2024 thereby rejected the request made by the petitioner to fix the correct value for the property comprised in S.No.530/2 situated at Karunkulam Village, Tirunelveli District.

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

3. The petitioner had purchased the property by way of registered sale deed vide document No.582/2010. The petitioner also purchased the properties through Bank auction sale comprised in survey Nos.421/2, 3A, 3B, 422/1 to 6, 423/1A, 1B, 426/1B2, 2A3 to 2A6, 2B, 2C, 427/2C, 428/21 to 2K, 429/1E to 1G, 1J, 1I, 1N, 1O, 435/1, 2, 520/2A2, 2A4, 522/1B, 533 and 535 situated at Karunkulam Village, Radhapuram Taluk, Tirunelveli District. This lands are classified as Punja lands and the neighboring land's guideline was fixed as Rs.4,94,500/- per hectare, however, the guideline value for the land, which was purchased by the petitioner, was fixed as Rs.810/- per sq.meter. Therefore, the



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petitioner submitted a representation before the Valuation Committee, however, it was not considered and as if the petitioner was constrained to file a writ petition W.P.(MD)No.12308 of 2024. This Court by an order dated 12.06.2024 issued the following directions:

"3.No exception can be taken to the said request. The second respondent is directed to submit a proposal to the first respondent in this regard. On such proposal submitted by the second respondent, the first respondent is directed to pass final order on the petition mentioned representation on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

4. I make it clear that I have not gone into the merits of the matter. The first respondent shall put all the interested parties on notice before passing final order. It is open to the first respondent to pass order one way or the other."

4. However, without giving an opportunity of hearing to the petitioner and without issuance of notice to the petitioner, the second respondent rejected the request made by the petitioner to revise the guidelines. The only ground raised in this writ petition is that the petitioner was not given an opportunity of hearing and it is clear violation of principles of natural justice.



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5. The learned Special Government Pleader appearing for the respondents would submit that the petitioner was served with notice and after giving an opportunity of hearing only, the order was passed.

6. On perusal of the impugned order, dated 20.11.2024 revealed that there was no such reference and no discussion about the opportunity given to the petitioner and notice issued to the petitioner. Therefore, on the sole ground of violation of principles of natural justice, the order impugned cannot be sustained and it is quashed. Accordingly, the writ petition is allowed. No costs.

7. The matter is remanded back to the first respondent for fresh consideration. The first respondent is directed to constitute the Valuation Sub Committee under the Tamil Nadu Stamp (Constitution of Valuation Committee for Estimation, Publication and Revision of Market Value Guidelines of Properties) Rules, 2010 and after giving an opportunity of hearing to the petitioner pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

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WEB COPY

To

- 1.The Chairman-cum-District Collector,
District Valuation Committee,
Tirunelveli.
- 2.Additional Inspector of General
Office of the Inspector of General,
Chennai-28.



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G.K.ILANTHIRAIYAN, J.

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