



W.P.(MD)No.2779 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.2779 of 2016

and

W.M.P.(MD)No.2468 of 2016

Reeta Mary

... Petitioner

-VS-

1.The District Collector,
Theni District,
Theni.

2.The District Revenue Officer,
District Collectorate Office,
Theni.

3.The Revenue Divisional Officer / Sub - Collector,
Periyakulam, Theni District.

4.The Tahsildar,
Taluk Office, Periyakulam,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the third respondent's proceedings in Na.Ka.No.2573/2000/A3, dated 15.11.2002 and quash the same and further direct the first respondent to assign the land to the legal heirs of the petitioner's father Late.Rayappan.



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For Petitioner : Mr.R.Shankar Ganesh
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

The Writ Petition has been filed seeking to quash the impugned order passed by the third respondent, dated 15.11.2002 and further direct the first respondent to assign the land to the legal heirs of the petitioner's father Late.Rayappan.

2. The learned counsel appearing for the petitioner submits that the petitioner was not put on notice before the impugned order was passed, which led to cancellation of assignment of land given to her father. The petitioner's fundamental right to be heard before any order adversely affecting her interests was passed, has been violated. It is well-established that when an administrative action such as, the cancellation of an assignment is taken, the persons affected should be provided notice and an opportunity to present their case. By not being put on notice, the petitioner has been deprived of an opportunity to make representations or challenge the basis of the cancellation, causing prejudice to her rights and interests. Therefore, the impugned order is liable to be set aside, and the Writ Petition may be allowed.



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3. When questioned, the learned Special Government Pleader appearing for the respondents fairly submits that the impugned order does not disclose that the petitioner was put on notice before the said order was passed.

4. The impugned order does not reflect that the petitioner was given an opportunity to present her case before it was passed. Since the petitioner was affected by the cancellation of allotment of land without being put on notice, the impugned order violates the principles of natural justice.

5. For the above reason, the impugned order deserves to be set aside. Accordingly, it is set aside. The third respondent shall issue notice to the petitioner as well as all other persons, who may be interested in the subject matter, call for objections, and conclude the enquiry after considering the objections raised by the petitioner, and pass appropriate 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.



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6. Accordingly, the Writ Petition stands disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
04.02.2026

To:-

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