

W.A.[MD]No.2352 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Eighteenth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE M.S.RAMESH
and
The HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.A.[MD]No.2352 of 2024
and
C.M.P.(MD)No.16292 of 2024

T.DHANUSKODI
TAHSILDAR,
THE TAHSILDAR OFFICE,
NILAKOTTAI.

... APPELLANT/THIRD PARTY

Vs

1 R.MANI

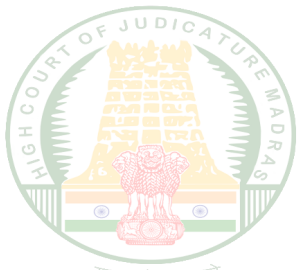
...FIRST RESPONDENT/PETITIONER

2 THE DISTRICT COLLECTOR
COLLECTORATE,
DINDIGUL DISTRICT

3 THE REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE, DINDIGUL

4 THE TAHSILDAR
THE TAHSILDAR OFFICE, NILAKKOTTAI

5 THE TALUK SUVEYOR
NILAKKOTTAI TALUK, DINDIGUL DISTRICT



W.A.[MD]No.2352 of 2024

6 A.P.AZHAGAR
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7 C.MURUGESWARI

... RESPONDENTS 2 TO 7/
RESPONDENTS 1 TO 6

Writ Appeal filed Under Patent Clause 15 of Letters, to set aside the order dated 25.09.2024 passed in WP(MD)No.16457 of 2024 so far as the directions to initiate disciplinary proceedings and criminal prosecution against the appellant in paragraphs 12 to 29 and 30(a) and 30(b) of the impugned order and thereby allowing this Writ Appeal and to grant such other relieves that this Honourable Court may deem fit and proper in the circumstances of the case.

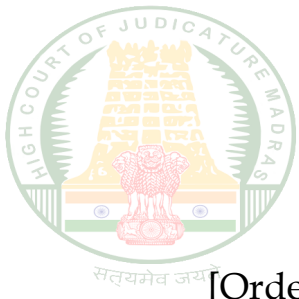
Prayer in CMP(MD). 16292/ 2024 :

To pass an order staying the operation of the order dated 25-09-2024 passed in W.P.(MD).No.16457 of 2024 on the file of this Honourable Court so far as the directions to initiate disciplinary proceedings and criminal prosecution against the review applicant in paragraphs 12 to 29 and 30 (A) and 30(B) of the impugned order, pending disposal of the writ appeal and thus render justice.

Prayer in WP(MD). 16457/ 2024 :

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 of the impugned separate patta no.4874 issued by the 3rd respondent herein dated 25.06.2024 pertaining to Sy. Nos.249/1, 249/2, 249/2A1, 249/3, 249/4, 249/5A, 249/6B1, 249/10, 249/9, 249/8, 249/6B4, 249/6B2, 254/2B1 in Pallapatti Village, Nilakottai Taluk, Dindigul District in favour of the 5 and 6 respondents herein and quash the same as illegal and further directing the 3 and 4 respondents herein to consider the petitioners representation dated 01.07.2024.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.J.BARATHAN, Advocate for the petitioner and of MR.S.R.A.RAMACHANDRAN, Additional Government Pleader on behalf of the Respondents 2 to 5, the court made the following order:-



W.A.[MD]No.2352 of 2024

[Order of the Court was made by M.S.RAMESH, J.]

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It is the contention of the learned counsel for the petitioner that the appellant herein was only exercising his official duties and even when though some procedural irregularities may have been discovered, the learned Single Judge of this Court, ought not to have recommended for departmental action against him in paragraph Nos.30 (a) and 30(b) of the order dated 25.09.2024 in W.P.(MD)No.16457 of 2024.

2.Prima facie, we find some force in the above submission. Hence, there shall be an order of interim stay of the order made in W.P.(MD)No.16457 of 2024 dated 25.09.2024, insofar as it relates to the directions in Paragraph Nos.30(a) and 30(b).

3.The learned Additional Government Pleader seeks time to file counter.

4.List this writ appeal on 29.01.2025.

sd/-
18/11/2024

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/11/2024

Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ta

<https://www.mhc.tn.gov.in/judis>



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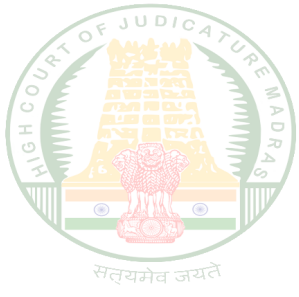
1.THE REGISTRAR (ADMIN)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

2.THE ADDITIONAL REGISTRAR GENERAL,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

3.THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

4.THE SECTION OFFICER,
WRIT SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to J. BARATHAN Advocate SR.No.14190 DATED 19.11.2024



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W.A.[MD]No.2352 of 2024

ORDER
IN

W.A.[MD]No.2352 of 2024

and

C.M.P.(MD)No.16292 of 2024

Date :18/11/2024

RK/VR (25/11/2024) 5P / 10C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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